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Monday, June 19, 1967
Jyaistha 29, 1889 (Saka)

LOK SABHA DEBATES

(Second Session)

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LOK SABHA

Monday, June 19, 1967/Jyaistha 29 1889 (Saka)

The Lok Sabha met at Eleven of the Clock

[MR SPEAKER *in the Chair*]

OBITUARY REFERENCE

Mr Speaker I have to inform the House of the sad demise of Capt Awadesh Pratap Singh, who passed away on the 7th June, 1967 at the age of 79

Capt Awadesh Pratap Singh was a Member of the Constituent Assembly of India and the Provisional Parliament during the years 1949—52

We deeply mourn the loss of this friend and I am sure the House will join me in conveing condolences to the bereaved family

The House may stand in silence for a short while to express its sorrow

The Members then stood in silence for a short while.

RE: STATEMENT ABOUT CHINA

Mr. Speaker: Question No 571 Shri Madhu Limaye

श्री मधु लिमये : अध्यक्ष महोदय, यह सवाल करने से पहले मैं आपका ध्यान दिलाना चाहता हूं कि वैलिंगडन हास्पिटल में जिन चीनी दूतों को रखा गया है उन लोगों ने वहां पर ऊधम मचा रखा है। यह बहुत गम्भीर मामला है। जब उस दिन मैंने कहा कि दिल्ली में माओ का राज्य शुरू हो गया है तो सामने के सदस्यों ने बड़ा एतराज किया। लेकिन आज वे लोग हास्पिटल में माओ की तस्वीरें लटका रहे हैं। क्या आप को यह मालूम है ?

Mr. Speaker. I know that, I have read the newspapers

श्री मधु लिमये : तो आप प्रधान मंत्री और सरकार से कहिये कि दिल्ली में और इस देश में हमारा राज्य है।

Mr. Speaker: I may tell the hon Member and the House that I have received at least 110 call-attention notices out of which a bundle of them on this question—quite naturally because of things that are happening in China and in our own place in hospital Therefore I was thinking of asking the Minister after the Question Hour to make a comprehensive statement It is important because the hydrogen bomb has been exploded in China and *something is happening* in the hospital here

Shri Hem Barua. I think, you should congratulate the doctors of the Willingdon Hospital.

Mr Speaker: I entirely agree with you I was thinking on those lines myself We will take the questions first and then the call-attention notices I myself would have proposed the Minister's making a statement. After all, everybody is anxious to know something about what is happening. The Chinese have been given time till 3 P M today; therefore, at 5, 5 30 or 6 o'clock we would like to hear something about it. The whole country is anxious to know as to what

would happen by 3 o'clock. Therefore I was myself going to request the Minister to say something at 5'30 or 6 o'clock.

Shri Shashi Ranjan: We must be informed of the time.

Mr. Speaker: I will let you know.

The Minister of Defence (Shri Swaran Singh): Before the House rises, I shall try to collect as much information as possible.

Shri Shashi Ranjan: Let it be at 6 o'clock.

Shri Swaran Singh: It would depend on the convenience of the House.

Mr. Speaker: Time is given till 3 P.M. and then they will have to get the information from China. I will see when it can be done.

ORAL ANSWERS TO QUESTIONS

Tibet

+

*571. **Shri Madhu Limaye:**
Shri S. M. Banerjee:
Shri George Fernandes:
Dr. Ram Manohar Lohia:

Will the Minister of **External Affairs** be pleased to state:

(a) whether Government intend to sponsor a resolution protesting against the violations of human rights and liberties in Tibet by the Chinese authorities;

(b) whether Government have given any consideration to the proposal to extend recognition to Dalai Lama's Bureau as the Government of free Tibet in exile; and

(c) if not, the reasons therefor?

The Deputy Minister in the Ministry of External Affairs (Shri Surendrapal Singh): (a) No such proposal is under consideration at present.

(b) and (c). Various aspects have been taken into consideration in determining our policy in relation to Tibet. This policy does not extend to giving any political status to the Dalai Lama during his stay in India. Our policy is continually under review and will be reviewed again in the light circumstances.

श्री मधु लिमये : अध्यक्ष महोदय, जहां तक आर्थिक सहायता का सवाल है यह सरकार अमरीका पर निर्भर है और कुछ विदेशी नीति के मामलों में यह रूसियों की वैचारिक गुलामी कर रही है। मैं सरकार से यह जानना चाहता हूं कि क्या उसने रूस की मंगोलिया सम्बन्धी नीति पर विचार किया है। जैसा कि उस दिन मैंने कहा था रूस ने 1924 में मंगोलिया पर चीन की सार्वभौमिकता को कबूल किया। लेकिन याल्टा में रूजवेल्ट और स्टालिन के बीच में जो करार हुआ, उस में एक वाक्य यह था :

"*The status quo* in Outer Mongolia shall be preserved."

इसका अर्थ यह है कि रूस ने उस करार के द्वारा अमरीका की सहमति से—और बाद में लाल चीन की सहमति से भी —बहुत मंगोलिया की स्वतंत्रता को कुबूल करवाया। पहले 1924 में उस ने मंगोलिया पर चीन की सार्वभौमिकता को माना, लेकिन बाद में याल्टा में तमाम दुनिया से मंगोलिया की स्वतंत्रता को कबूल करवाया। इस सरकार ने तिब्बत के बारे में भी इसी किस्म की गलती की लेकिन रूस ने जिस तरह मंगोलिया सम्बन्धी अपनी नीति में परिवर्तन किया और चूंकि यह सरकार रूसियों की बहुत गुलामी करती है इस लिये उस से सबक सीख कर क्या वह तिब्बत के सम्बन्ध में अपनी नीति में उसी तरह परिवर्तन करेगी और तिब्बत की स्वतंत्रता की घोषणा करेगी ?

The Minister of Defence (Shri Swaran Singh): It is a wrong suggestion that we copy any country in the matter of the conduct of our foreign affairs. It is our own independent policy. It is not fair on the part of any hon. Member to suggest that we are trying to copy any other country in the pursuit of our international policy.

About Tibet, the basis on which he put the question was, because Soviet Union has adopted a certain policy in relation to Mangolia, that we should, therefore, follow a similar policy in relation to Tibet. Both have to be considered on their merits. In the matter of formulating our policy on Tibet, we should be guided by our own national considerations and we should not and need not copy any other country in relation to their handling of another problem.

श्री मधु लिमये : अध्यक्ष महोदय, चीन बराबर कह रहा है कि भारत सरकार तिब्बत की स्वतंत्रता का समर्थन कर रही है लेकिन वह ऐसा बिल्कुल नहीं कर रही है जैसा कि अभी मंत्री महोदय ने कहा है। उसी तरह चीन की सरकार कह रही है कि हिन्दुस्तान की सरकार दो चीन वाली नीति को चला रही है अर्थात फार्मोसा और चीन इन दोनों को मान्यता दे रही है, लेकिन यह सरकार ऐसा नहीं कर रही है। चीन यह भी कह रहा है कि हिन्दुस्तान के प्रतिक्रियावादी, अमरीकी साम्राज्यवादी और रूसी सुधारवादी एक नयी पवित्र संधि बना रहे हैं चीन के खिलाफ लेकिन यह सरकार यह भी नहीं कह रही है। मैं मंत्री महोदय से यह जानना चाहता हूं कि जिन तीन कामों के बारे में चीन कह रहा है कि यह सरकार ये सारे काम कर रही है, क्या सरकार सचमुच इन कामों को करने की कोशिश करेगी : तिब्बत की स्वतंत्रता का समर्थन, दो चीन वाली नीति का पालन और चीन की आक्रमणकारी नीति के खिलाफ रूस अमरीका और हिन्दुस्तान का पवित्र संगठन।

Shri Swaran Singh: This question relates to Tibet and it should not be expanded to cover other matters of our foreign policy in relation to China.

श्री मधु लिमये : यह प्रश्न उसी से जुड़ा हुआ है। क्या तिब्बत विदेश नीति का सवाल नहीं है ?

Shri Swaran Singh: Those questions are not related to Tibet. About Tibet our position has already been explained

श्री मधु लिमये : मंत्री महोदय ने बिल्कुल जवाब नहीं दिया है। चीन इस सरकार पर यह आरोप लगा रहा है कि वह ये तीन काम कर रही है : तिब्बत की स्वतंत्रता का समर्थन, दो चीन वाली नीति का अनुसरण और चीन के खिलाफ अमरीकी साम्राज्यवादियों और रूसी सुधारवादियों के साथ पवित्र संधि। जब चीन कह रहा है कि यह ये तीन काम काम कर रही है, तो वह सचमुच इन कामों को क्यों नहीं करता है ?

Shri Swaran Singh: If anybody or any country makes an incorrect allogation against our country, then for proving that, what the other person is accusing, I should do the same thing, is a very strange suggestion which I would not like to adopt for my country. We should not be deflected by the accusations that Chinese might make that we are pursuing a particular policy. The hon. Member himself, while formulating his question, said that it is incorrect that we are pursuing that policy.

श्री मधु लिमये : करना चाहिए। अगर सरकार करती तो हम उसकी बहुत तारीफ करते। यह बहुत अच्छी बात है।

Shri Swaran Singh: So, if another country incorrectly makes an allegation that we are pursuing a particular policy, that should be a motive

for adopting that policy in a proposition to which. I am sorry, I cannot subscribe.

श्री जार्ज फरनेन्डीज : मंत्री महोदय ने कहा है कि दलाई लामा का जो ब्यूरो हिन्दुस्तान में काम कर रहा है वह उनको तिब्बत की सरकार के रूप में मान्यता देने के लिये तैयार नहीं है । मेरा प्रश्न यह है कि किसी भी सियासी मामले के सम्बन्ध में और तिब्बत के मसले के सम्बन्ध में दलाई लामा की बोलों पर जो पाबन्दी उनकी बोलों पर जो ताला लगाने का काम हिन्दुस्तान की सरकार ने किया है तो क्या वह ताला कम से कम हटा कर दलाई लामा को तिब्बत के तमाम मसलों पर बोलने की स्वतन्त्रता हमारी सरकार देगी ?

Shri Swaran Singh: I do not accept that there is any restriction as such on Dalai Lama's making speeches. He has been making various speeches. It is one thing to place restrictions and quite another to give various types of facilities that might be asked

श्री जार्ज फरनेन्डीज : अध्यक्ष महोदय मुझे आपकी मदद चाहिये । मेरा प्रश्न यह है कि तिब्बत के सियासी मसलों पर आज दलाई लामा कोई भी बात हिन्दुस्तान में नहीं कह सकते हैं और किसी भी मसले पर कोई भी विचार प्रकट करने हों तो सरकार से मेन्शयोर कराने के बाद प्रकट कर सकते हैं । ऐसी हालत में मेरा यह प्रश्न है कि सियासी मसलों पर, तिब्बत के मसलों पर, तिब्बत के सियासी मसलों पर बोलने की स्वतन्त्रता हिन्दुस्तान की सरकार उन को देगी। क्या ?

Shri Swaran Singh: I do not accept that there is any censor as such but any individual, howsoever bo may be, who takes refuge in any country is expected to follow certain norms that are applicable when a person is functioning as a person who has sought asylum. (*Interruptions*).

I can sit down if he wants to speak.

It is a normal practice for any person who has sought asylum in any country not to indulge in any activity which may in his judgment and in the judgment of the host country unnecessarily embarrass that Government that country. This is a normal practice that is followed. There are no particular restrictions on the functioning of Dalai Lama. He is a respected individual and we have given him asylum We should treat it in that form and not get excited over it.

Shri Krishna Kumar Chatterji: In view of the fact that the present Chinese regime in the Mainland is relentlessly pursuing a policy of unprovoked aggression and hostilities against India and in view of the latest assault and humiliation heaped on the Indian diplomats attached to the Indian Embassy in the Chinese Capital by thousands of stone-throwing Chinese hooligans

Mr. Speaker: This is entirely a different question I have asked him to make a statement about China

Shri Krishna Kumar Chatterji: My question is whether the Government is prepared to reopen the Tibet issue

Mr. Speaker: There is no relevance

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, चीन के साथ जो लड़ाई हुई थी, उसके अन्दर चीन ने तिब्बत की स्वायत्तता का आदर करने का वचन दिया था । क्या यह सच नहीं है कि कम्युनिस्ट चीन ने तिब्बत की स्वायत्तता खत्म कर दी है ? क्या यह सच नहीं है कि तिब्बत में लाखों चीनी बसाये जा रहे हैं जो तिब्बती लोगों से जबर्दस्ती जमीनें छीन रहे हैं और आज तिब्बत में तिब्बतियों को चीनी कम संख्या में कर देना चाहते हैं ? मैं जानना चाहता हूं कि इन बातों को ध्यान में रखते हुए कि चीन ने उस संधि का पालन नहीं किया क्या सरकार अपनी

तरफ से इस बात की घोषणा करेंगी कि वह संधि टूट गई है और अब भारत को तिब्बत के मामले में फिर से विचार करने का अधिकार है ?

Shri Swaran Singh: It is true that the Chinese promises of respecting the autonomy of Tibet have been very flagrantly violated and thrown to the winds by the Government of the People's Republic of China Many of the things that have been mentioned by the hon Member opposite are really very gross violations of the human rights and as such, on the last occasion when the matter came up before the United Nations, we did support the Tibetans' case of violation of human rights and we supported that Resolution which ultimately was approved in the United Nations As to whether this is a ground strong enough for going back upon the treaty that we have signed with China, I do not think that the stage has come when we should repudiate the treaty that we have signed.

Shri R Barua: Apart from whatever relations there are between India and China today, China's sovereignty over Tibet was admitted by India. Therefore, in the context of the present world affairs, will it be right for India to agitate over the question of Tibet which is already an internal question, an internal matter, of China?

Shri Swaran Singh: That is one view As I have already said, if there is a violation of human rights, then irrespective of the sovereignty or suzerainty of any country over any other part or a part of their own country, it should attract the notice of the international community. There is such a thing as human rights and violation of human rights which does attract and should attract the notice of the international community

Mr. Speaker: Shri Umanath.

श्री यशपाल सिंह : श्रीमान्, मैं एक जरूरी बात जानना चाहता हूं माननीय मंत्री जी से . . . .

Mr. Speaker: Order, order. I have called Shri Umanath.

Shri Umanath: Under Dalai Lama's regime in Tibet, the Lamas had the right to cut the hands or any part of the limbs of the serfs or even kill them without due process of law. When the Government supported the human rights resolution in the last session of the UN General Assembly, may I know whether they made themselves sure that when they supported that resolution, they did not support the right of those Lamas to be restored, and secondly whether that was the reason why excepting India other non-aligned nations did not support that resolution?

Shri Swaran Singh: I do not want to go into the historic rights, powers or laws of Tibet as they prevailed before But we had satisfied ourselves that the human rights of the Tibetans were being jeopardised It was after assuring ourselves of that, that we decided to support the move in the United Nations to call upon the international community to take notice of this violation of human rights. The right to cut anybody's limb or something else surely has got nothing to do with human hights, and even this question that is being put really....

Shri Umanath: Cutting the limbs without due process of law is not a violation of human right?

Shri Swaran Singh: Certainly, human rights will not extend to that, and we are not trying to restore whatever are the correct or supposed, according to the hon. Member, rights in human rights. It is not for us to go into it. At the present moment, the question related to the violation of the human rights of Tibetans by the Chinese, and we have taken a stand on that.

Shri D. C. Sharma: The hon. interim Foreign Minister has spoken in a blanket way about human rights. Human rights, apart from ever so many other things, imply also the right of every man to worship in his own way. May I know from the hon. Minister whether this question of worship which is being denied to the indigenous population of Tibet after China has taken over, was also considered? May I know also whether it was also considered that all the gold that was to be found in the monasteries of Tibet had been looted from there and was being used in Hong Kong to purchase arms and ammunition and thermo-nuclear weapons and missiles and atom bombs and other things?

Shri Swaran Singh: I would require notice of this profound question.

Shri Hem Barua: Peking Radio in its broadcast in Hindi on the 10th June, at 8-45 P.M. has called upon the Indian revolutionaries to hack to pieces the Indian reactionaries and to make the waters of the Ganges red with their blood? Possibly, the Chinese have called you, Sir, and us as reactionaries, and they want us to be hacked to pieces and make the waters of the Ganges red with our blood.

श्री मधु लिमये : सब से पहले डांगे साहब को। इनको क्यों भूल गये ?

Shri Hem Barua: Oh, he is there. I did not see him earlier. He is also a reactionary.

Shri S. A. Dange: Does the hon. hon. Member accept the title of 'Indian reactionary' for himself?

Shri Hem Barua: Possibly, they do it.

Shri S. A. Dange: No, he does it

Shri Hem Barua: I do not do it, but they mean it.

Shri S. A. Dange: Why is he afraid?

Shri Hem Barua: Shri S. A. Dange has asked why we are afraid. We are not afraid, and I think you are also not afraid of this. But in the context of the present developments and the China's naked interference in our internal affairs in Nagaland, Mizo Hills and elsewhere and also at Naxalbari, may I know whether Government are prepared to have a rethinking so far as the Tibetan issue is concerned, and to help the Dalai Lama in his political mission in South-East Asia? The Dalai Lama is going to the South-East Asian countries to canvass political support for his resolution in the United Nations. May I know whether or not Government are going to help in that?

Shri Bal Raj Madhok: We want a specific answer.

Shri Swaran Singh: I will be very specific. I will not go into the preambulary part because it is full of so many loaded things that it is not for me to contradict each and every thing that he said. That he might settle with the many others sitting in the Opposition Benches who were the party who were called by the Chinese Radio to hack to pieces those reactionaries or others according to their imagination. We are not unaccustomed to hear this type of polemics of the Chinese extremists. We think that the best way is to ignore them with the contempt they deserve, and we should not unnecessarily be concerned about all the wild things that the Chinese put out in their broadcasts or other medai.

Shri D. C. Sharma: You want us to become yogis.

Shri Swaran Singh: I do not want anyone to become a yogi when the professor even in his old age is so young and enthusiastic. We should retain that vigour and not think of becoming yogis, not at any rate while dealing with the Chinese.

Without going into the preambulary part of the question, on the two issues, we have never come in the way of the Dalai Lama visiting other countries if he wants to visit those countries, and when he is in other countries it will be the Dalai Lama's desire or those countries' policy to permit or not to permit him to undertake any activities they like. But it is quite clear that we do not want our country to be used for political purposes by anybody who seeks asylum here, whether he is the Dalai Lama or any other person. We are quite clear on that issue, and there should be no misunderstanding on that score.

On the question of the Tibetan issue, I do not know precisely what is meant when a sort of vague question is put that we should do some rethinking on that issue. I would like to know the content of that rethinking before I give a specific answer. Our policy in relation to Tibet has been enunciated here from time to time. On one occasion, I remember Shri Chagla, who is in charge of External Affairs—I am only trying to give whatever information I have to serve the House—did say that all these factors which are prevailing are always before the Government and they constantly keep an eye upon the policy to be pursued, but beyond that he did not seem to go.

श्री मधु लिमये : यह नहीं कहा । कहा था कि पुनर्विचार करेंगे ।

Shri Swaran Singh: I have nothing to add to what Shri Chagla has already said

Shri Hem Barua: He said that in the Rajya Sabha, not here

Shri Shivaji Rao S. Deshmukh: In view of the inhumanities inflicted on Tibetans by the Chinese, similar to those inflicted by the same authorities on Mongols and Muslims in Sinkiang, how is it that our Government are concerned with the inhuman treatment inflicted on the Tibetans alone and insist that these be taken cognisance of by the UN? In view of the fact that the so-called Sino-Indian treaty, which has been referred to by the hon. Minister, has run out of time in terms of physical limits and in terms too of the fact that not even a ghost of that treaty remains, what steps Government from taking a fresh *de novo* outlook on the entire Sino-Indian relations in relation to Tibet?

Shri Swaran Singh: I am afraid I have nothing to add to what I have stated.

Mr. Speaker: Chaglaji has answered, he is not able to say.

Some Hon. Members *rose*—

Mr. Speaker: Will, all of you, kindly sit down? I will again call everybody if you like, I have no objection.

Shri H. P. Chatterjee: I had caught your eye.

Mr. Speaker: You have caught my eye, but unfortunately I cannot call everybody at the same time.

Shri H. P. Chatterjee: I was in Tibet in 1951. So, let me ask one question

Mr. Speaker: Other than what Mr. Chagla said, Mr. Swaran Singh is not able to give additional information. He is not able to say anyhting now. Naturally, as he said, he can only repeat what Mr. Chagla said. Therefore, is there any point in your repeating the questions and his repeating the same answer? We have spent 25 minutes on this question. I do not mind spending another 25 minutes, but will it serve any purpose? If you want, I have no objection.

Shri Kamal Nayan Bajaj: Will you permit a two-hour discussion on this?

Mr. Speaker: You want a discussion?

Shri Shivaji Rao S. Deshmukh: My question has not been answered.

Mr. Speaker: The Chair cannot answer your question. Unfortunately, it is the Minister who has to

answer the question, and not the Chair.

Shri Shri Chand Goel: On a point of order. You have said that the Minister is not in a position to give more and better answers to the question, than what Mr. Chagla has already given Is it not his duty to come well prepared to answer all questions?

Mr. Speaker: He is thoroughly prepared

Shri Swaran Singh: I want to say quite categorically that it is not lack of preparation, but the Question Hour is used to eliciting information, not to ask me to alter policies. What I have said is, on the policy aspect a certain attitude has been taken and explained by Shri Chagla In the Question Hour you cannot ask me to alter the policy. That policy continues to prevail. So, it is not lack of preparation, but my lack of willingness to be subjected to pressure to alter policy under high policy questions That I am not prepared to accept

Shri Nambiar: We will spend one hour on this question Let us create a record today

Shri Nath Pai: We believed that one of the major planks of the foreign policy of India, or what remains of that policy nowadays, was to support the struggles for national independence in any part of the world wherever people are trying to rise in rebellion against the shackles of foreign rule, alien rule. Mr. Swaran Singh just now seems to have abandoned, discarded and thrown to the winds this policy of this country. This is clear from the latter part of his reply to Mr. Hem Barua's question, when he said that we are not going to allow anybody to use this country. This country should be the bastion for all those who want to fight for the freedom of their countries. Are we to understand that there is a radical change in the policy of India so far as our stance to people's struggling for freedom is concerned?

Shri Swaran Singh: There is no change in the policy about which the hon. Member spoke—support to countries and people who are fighting for their independence against the colonial rule. That policy still continues. We should make a distinction. There are struggles between the people of one region in a country and their central Government and between people of one region and the people of another region. I would request the hon. Member not to confuse between the two There is a great deal of difference between colonial powers dominating the people and the people's fight against colonialism; this should be distinguished, howsoever uncomfortable the position might be, from the struggles which could be described as internecine struggles between the people of one region and the central government and between the people of on region and another region.

श्री यशपाल सिंह : अध्यक्ष महोदय, मैं एक पाइंट आफ आर्डर उठाना चाहता हूं। मैं आप से यह जानना चाहता हूं कि यह पालिसी कांग्रेस पार्टी की बनाई हुई है और बार बार कबैश्चन भी कांग्रेस पार्टी के लोग पूछते हैं तो क्या इसका मतलब यह हुआ कि हिन्दुस्तान कोई आरामगाह है ? वह तिब्बत में जाकर अपने अधिकारों के लिये क्यों नहीं लड़ते हैं ? बार बार यह कांग्रेस वाले ही क्यों भगवान पूछते हैं ?

Mr. Speaker: There is no point of order, but only disorder. It is a Government for the country, not for the Congress Party

श्री हेमन्तमयन बरुआ : भारत के साथ तिब्बत के सांस्कृतिक, भौगोलिक और ऐतिहासिक सम्बन्ध हजारों वर्षों से रहते हुए आये हैं राजनैतिक दृष्टि से जो उस में फेर फार हुआ वह इतने महत्व का नहीं कहा जा सकता, वह टैम्पोरेरी, कुछ समय के वास्ते हो सकता है । इस फेर फारों को जिस तरीके से हम ने सोच

करके किया और हमारा उसके साथ में जो कुछ भी बजन हम ने दिया जब चाइना के साथ हमने अपनी अडरस्टैंडिंग की, मंत्री महोदय ने यह कहा कि उस समझदारी को या जो एक अंडरस्टैंडिंग थी वह बिल्कुल खत्म हो गयी है और जो आटोनोमी थी तिब्बत के अन्दर में वह वहा पर रही नहीं है, यहा पर अत्याचार और दूसरी चीजे सब हो रही है ऐसी स्थिति के अन्दर क्या भारत के ऊपर नैतिक जिम्मेदारी आती है, वैधानिक और राजनैतिक जिम्मेदारी तो एक तरफ है. उस में आप गिनती लगाये तो उस में मुझे उतना एतराज नहीं है, परन्तु हमारी नैतिक और धार्मिक जिम्मेदारी जो तिब्बत के सम्बन्ध में रही है उस के बारे में इस सदन के विचारशील चागला जी का जो कि इसके इचार्ज है, हमारे मंत्री महोदय उनको कहे और यह कहे कि धार्मिक और दूसरी जो हमारी अडरस्टैंडिंग तिब्बत के साथ में हमेशा रही है उस में फेर फार हुआ है और उस जिम्मेदारी को निभाने के लिये सदन की विनती हमारे मंत्री महोदय से है कि इसके बारे में वह जानकारी दे या उनको कहे।

Mr. Speaker: Everybody wants to make a small speech

Shri Swaran Singh: I do not think he has sought any information

श्री रामावतार शास्त्री : मैं उनसे थोड़ी सी सफाई करना चाहता हूं और मैं

I have been misunderstood

Mr. Speaker: Please sit down I have called another Member

Shri H. P. Chatterjee: In 1951, I was in Tibet when the Chinese invaded Tibet.

Mr. Speaker: That was long ago. Come to the present... (*Interruptions*).

Shri H. P. Chatterjee: How can I make the Minister understand without a preamble? At that time, many Tibetans asked me why we should object to their having a representative in the United Nations while Nepal has a representative in the UN. They said, we are more similar to you than to the Chinese; we write like you from left to right Our formula for prayer is "Om mani padme Hun" which is clearly Sanskrit, we have nothing in common with the Chinese, why are you objecting to us when the Nepalese have their representation in the UN? Now, I ask the Minister; when the Chinese have not kept their word about Tibetan autonomy, will the Government take up the cause of Tibetans and see that they have their representative in the UN?

Shri Swaran Singh: I would like to understand what the reply the hon. Member gave, when the Tibetans asked him that question. The UN does not deal with the desires of the people, however eminent they may be It is the governments that are represented in the UN, and unless there is the Government and that makes a representation and ask for it the UN does not consider anything.

Shri R. D. Bhandare: May I know from the hon. Minister whether the Dalai Lama is treated in this country as the head of a sovereign State who has taken asylum in this country as such facilities are given to him?

Shri Swaran Singh: No, Sir. He has not sought asylum as head of a sovereign State, as the hon. Member says

Shri Bal Raj Madhok: The hon. Minister has said that the question of Tibet is different from other places where colonial regimes exist. May I know whether he has read anything about history? Tibet has existed as an independent country for the last 2,500 years according to the chronicles—ruled by the son of Prince Mrithunjay. There were times when for sometime China ruled

over Tibet just as Afghans and Turks ruled over India. Does that mean that India is part of Turkey or India is part of Afghanistan?

Mr. Speaker: Please put your question.

Shri Bal Raj Madhok: I want to know whether the Government is prepared to repudiate that treaty; he said the treaty has been violated by China. The one most important part of that treaty was that the autonomy of Tibet will be respected. It is a purely political clause. This political clause of the treaty, that the autonomy of Tibet would be respected, has been violated. This is not a question of human rights. In view of the fact that the most important clause of the treaty of 1954 has been violated by China, may I know whether the Government is prepared to repudiate that treaty.

Shri Swaran Singh: The same question is repeated. I would like to add that he is a professor and he must have read more of history. I have also read a little of history. Our attitude is based upon our assessment of all these historical events, and then we ultimately took a decision.

Shri H. N. Mukerjee: Since the policy and practice of Government appears to be that we do not intervene in the internal affairs of other countries even when some unfortunate incidents take place—for example, in Indonesia, half a million people were hacked to death on the suspicion of their being communists and we did not even utter a word against it—may I know, in that case, since certain things might have happened in Tibet where a feudal—theocratic regime has been sought to be transformed by revolutionary methods and certain excesses might have taken place, why we look upon it as something which we might even consider taking to the international forum and there by disturb and derange the delicate balance in international relations, which we should not do in present-day circumstances?

Shri Swaran Singh: I would only humbly point out that a few unfortunate incidents is one thing; persistent violation of human rights is quite another. Whereas we can ignore a few unfortunate incidents, we should not ignore when the basic human, fudamental rights are being violated.

Steel Plant in Iran with India's Collaboration

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*572. **Shri Brij Bhushan Lal:**
Shri N. S. Sharma:
Shri Sharda Nand:
Shri A. B. Vajpayee:

Will the Minister of External Affairs be pleased to state:

(a) whether it is a fact that a steel plant in Iran is being set up with India's collaboration;

(b) if so, the nature and extent of help and the terms and conditions thereof; and

(c) whether Government have also considered Iran's relations with Pakistan in military matters while offering this collaboration?

The Deputy Minister in the Ministry of External Affairs (Shri Surendra Pal Singh): (a) No, Sir.

(b) and (c). Do not arise.

श्री अटल बिहारी वाजपेयी : क्या इस बारे में कोई बातचीत चली है ? हो सकता है कि उस बातचीत को अन्तिम रूप न दिया गया हो लेकिन मैं जानना चाहता हूं कि क्या प्रारम्भिक बातचीत चली है और क्या ईरान में किसी तरह का कारखाना लगाने का हमारा इरादा है ?

Shri Surendra Pal Singh: There has been no direct approach from the Iran Government to set up any steel plant with Indian collaboration. But what

actually happened there, which obviously prompted the hon. Members to bring this question here, is that Iran is negotiating with Russia for the setting up of a steel plant with Russian help and co-operation. Last year, they approached us, to find out whether we would like to supply to them technicians, and managerial staff etc.; their engineers came here last year; they went round and saw our steel plants and were greatly impressed. That is where the matter rests. Once their negotiations are over, then they will contact us again.

Statement by U.S. Ambassador in India

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*573. **Shrimati Suseela Gopalan:**
Shri A. K. Gopalan:
Shri K. Ramani:
Shri Ram Kishan Gupta:
Shri H. N. Mukerjee:

Will the Minister of External Affairs be pleased to state:

(a) whether the attention of Government has been drawn to a statement by the U.S. Ambassador in 'American Reporter' attacking some political parties in India for their criticism of U.S. Aid to India; and

(b) if so, Government's reaction thereto?

The Deputy Minister in the Ministry of External Affairs (Shri Surendra Pal Singh): (a) We are aware of articles published in the "American Reporter" by the U.S. Ambassador in India on various topics but no article attacking any political parties in India has come to our attention;

(b) Does not arise.

Shrimati Suseela Gopalan: May I know whether his attention has been drawn to a report published in the *American Reporter*, dated 26th April, under the heading "Ambassador's Report" which directly attacks the policies pursued by the communists in this country?

The Minister of Defence (Shri Swaran Singh): We saw the article which was published in the *American Reporter* The reply that the Deputy Minister has read out is the reply given after studying carefully the article as it appeared in the *American Reporter*.

Shri Ram Kishan Gupta: May I know the name of the political party mentioned in this article?

Shri Swaran Singh: The name of any political party as such is not mentioned.

Shri Umanath: Communists in India are referred to in five places.

Shri Swaran Singh: It is correct that there is mention there that the communists are criticising the food aid to India and he has given the reasons . .

Shri Umanath: It is all a concoction of lies.

Shri Swaran Singh: It is true that communists are mentioned, but not the communist party. I am not defending it I am just giving information.

Shri H. N. Mukerjee: Since we hear a great deal abou ours being a democratic country with a Parliament functioning, on account of which we cannot do certain things, when this American Ambassador refers to the communists over and over again and criticises them as perverse and unpatriotic people who are acting against the interests of India and its relationship with other foreign countries, do I take it that the reference to communists is interpreted by the Ministry fat-headedly as not implying the communist movement in this country, which is represented bodily in this House?

Shri Swaran Singh: There are two communist parties in this House. In that article, there is no mention of the communist party as such. There is mention of communists having criticised the U.S. Aid. He has given his

reasons why he does not accept that criticism. I am not defending what he has done. But I am giving the information to the House. It is for the House and the country to judge as to whether this amounts to criticising a political party. Criticism has been levelled against the American Government which he represents and it is one of his duties to improve the relations between India and the U S A Also, it is not uncustomary for Ambassadors to meet certain criticism that might be put across in the country to which they are accredited, if they feel that it comes in the way of development of friendly relations between the country which they represent and the country to which they are accredited

Shri H. N. Mukerjee: Do I take it that the minister implies that the Ambassador of a capitalist country or a socialist country is at liberty in this country to criticise the communists or the capitalists or whoever else it may be, openly in a periodical printed, published and largely freely distributed on a large scale in this country? Do I take it that that is the view of the Government?

Shri Swaran Singh: Our view is quite clear So far as our political set-up is concerned, it is for each of us to criticise the other political parties in the country and no outside Ambassador, whether he is from a communist country, a socialist country, a capitalist country, a non-aligned country or an aligned country, can criticise any of the political parties in the country But I would only humbly place before this hon. House whether in those cases where some parties, may be the Jan Sangh, the Congress Party or the Communist Party, criticise the actions of a country which that Ambassador represents or that High Commissioner represents, that foreign diplomat is entitled to meet that criticism or not and in meeting that criticism if he observes a certain decorum and does not cross a certain limit it is for us to consider and for this Parliament to consider whether, in view of the freedom of expression that we adhere to, we should not permit people who are criticised to offer their version of the criticism that is levelled. I do not offer any comment, I do not pose that problem before this House.

Shri Bedabrata Barua: In view of what practically all the members of another Embassy, the Chinese Embassy, have done, from the throwing of stones to many other things, and their mother country has been even proposing to hack some of us to death is it not necessary to worry less about what a particular Ambassador might be writing in a foreign journal particularly when his views regarding some of the political parties in India or the Government's view is already well known

Shri Swaran Singh: I could not follow the hon Member's question.

An hon. Member: It is an opinion, not a question

Shri Umanath: The hon. Minister just now said that in reply to criticisms by the political parties in our country against foreign countries whether the foreign country representatives are justified in replying to those criticisms and defending themselves is a matter for this House to judge. I would like to know what is the position of the Government. If political parties in this country do criticise foreign countries about their policies towards our country, does the Government think—I want to know your position and your reaction—that the Ambassador was correct in only replying in the journal. When in the case of North Vietnam certain booklets about American atrocities in North Vietnam were circulated here the Government took action to see that those leaflets were not circulated, may I know whether the Government approached the Ambassador to see

that that journal was not circulated here?

Shri Swaran Singh: Each case will have to be examined on its merit.

Shri Vasudevan Nair: The cat is now out of the bag. You are shamelessly defending the American Ambassador.

Shri Swaran Singh: I would not say, for instance, he is shamelessly attacking the Ambassador of another country, because we do not advance each other's view points or arguments by calling names. So it is very unfair to make an assertion of that type. I am quite all right if I tow his line, but if my view is not palatable to him and he goes to the length of using such expressions as "shameless", I strongly resent such an attitude. That really lacks objectivity and it is very unfair that such things should be uttered on the floor of the House

I said, whenever any such statement is published by the representative of any foreign country in our country we examine it. If it is such that action is called for, we do take action. I do not want to hide this fact from this hon. House that this statement is not being examined for the first time on the floor of the House; this statement of the American Ambassador was carefully examined in the External Affairs Ministry and their view was that it is not actionable.

Shri K. Narayana Rao: The distinction drawn between political parties as such and individuals as such appears to be too tenuous and technical. I do not think the answer is satisfactory. But whatever it may be, I would like to know from the hon. Minister whether there would be any difference in the attitude of the Government if the reference in that article had been to the Communist Party instead of the Communists? Secondly, I would like to know whether in view of these things, there is any international convention as to what exactly is the position in regard to the freedom of the Ambassador of any foreign country to express his views and whether in this particular case the limits of international propriety and convention have been exceeded.

Shri Swaran Singh: It is true that when a group of political viewpoint is described as such and the party is not named, the difference is tenuous. I do accept the suggestion that is implicit in the question As to what will be our attitude if a party is named, we would not like any outside Ambassador of any country to enter into our own internal differences between various political parties. We ourselves should be able to decide and criticise according to our accepted norms, according to our Constitution, and we will not like any Ambassador of any other country to criticise, or for the matter of that, to applaud any political party. I hope that there is unanimity of opinion on this issue among all of us. About the second question, about international conventions and the like, it is well-established that the Ambassador of another country does not interfere in the internal affairs of the country to which he is accredited and we take the view that taking sides amongst political parties in the country to which he is accredited certainly transcends that that limit which should not be crossed and it amounts more or less to interference in the internal affairs and as such it should be avoided. About the international conventions, they are well established that whereas the Ambassadors have got the right, even the duty, to remove any misunderstandings that might be created about their country in the country to which they are accredited, they should do that in such a manner as not to transgress the limit I have mentioned, that is to say, they should avoid giving an impression of interfering internally amongst the political parties of that country.

श्री कंवर लाल गुप्त : मंत्री महोदय को क्या यह मालूम है कि अमरीका, रूस

और दूसरे बहुत से देशों का लिट्रेचर यहां पर काफी मात्रा में बांटा जाता है ? यहां पर बहुत सारे देशों के एम्बेसेडर भी रहते हैं। कई बार उस लिट्रेचर में कई पोलिटिकल पार्टीज का नाम लेकर या जिस तरह से अभी श्री उमा नाथ ने कहा इसी प्रकार से और लोगों का नाम ले कर एम्बेसेडर भी क्रिटिसाइज करते हैं। मंत्री महोदय ने कहा है कि ऐसा नहीं होना चाहिए। मैं पूछना चाहता हूं कि जिस देश के एम्बेसेडर यहां पर रहते हुए पोलिटिकल पार्टीज को क्रिटिसाइज करते हैं क्या आपने उनके पास कोई ऐसी सूचना भेजी है या ऐसा कोई सर्क्युलर भेजा है या और कोई कदम उठाया है ताकि उनको यह पता चल सके कि उन्हें ऐसा नहीं करना चाहिए ?

Shri Swaran Singh: Sir, I am glad that for a change Shri Gupta appears to agree with Shri Umanath, although, maybe, for different reasons.

Shri Kanwar Lal Gupta: Yes, we agree on that point. We do not want interference from either side

Shri Swaran Singh: The Ambassador of some country might be criticising his own party; that may be the reason. But I would appeal to him that instead of asking me to reply in this general form, if he could cite to me in any statement of any Ambassador anything which he thinks amount to criticism of a political party functioning in the country, I will have that matter examined. About the general proposition, I have already enunciated the position and I think my submission and my categorical statement on the floor of the House will be enough notice to every member of the diplomatic community.

श्री जार्ज फर्नांडीज : अमेरिकन रिपोर्टर में अमेरीका के राजदूत ने जो लेख लिखे हैं उनको इंडियन एक्सप्रेस जैसे दूसरे अखबारों ने भी छापने की व्यवस्था की थी। इन लेखों में अमरीकी राजदूत ने एक बात यह भी लिखी थी कि उन्होंने भारत सरकार से यह शिकायत की है अमेरीकी राजदूत के नाम से या अमरीकी सरकार के नाम से कि कई फोर्ज्ड डाकुमेंट्स हिन्दुस्तान में चुनाव के मौके पर फैलाने का, बांटने का काम किया गया था। उन्होंने लेखों के अन्दर लिखा था कि इस मामले में उन्होंने केन्द्रीय सरकार से और सम्बन्धित मंत्री से और विशेषकर विदेश मन्त्री से शिकायत भी की थी। मैं जानना चाहता हूं कि क्या सरकार को खुद इन फोर्ज्ड डाकुमेंटस के बारे में कोई जानकारी है ? दूसरे मैं यह जानना चाहता हूं कि अमरीकी राजदूत ने जो शिकायत एक्सटर्नल एफयर्स मिनिस्टर के पास की थी, उस शिकायत पर क्या कार्रवाई की गई और तीसरे मैं यह जानना चाहता हूं कि क्या यह मसला सी० बी० आई० के पास जांच के लिये दिया गया था और दिया गया था तो अभी तक उस पर कोई रिपोर्ट मिली है या नहीं मिली है और मिली है तो क्या मिली है ?

Shri Swaran Singh: About the forged documents about which the hon. Member has made a mention, I confess I have not got the information. If a notice is given, I shall collect the information.

I do not think it is a matter for the CBI to investigate. About this matter having been brought to the notice of the External Affairs Ministry, I have not got precise information

Shri Hem Barua: May I know if Government is aware of the fact that at present there are deep stirrings of an ominous nature in the U.S.A. and one American Senator has gone so far as to say that the food aid to India should be cut down; if it is so, whether Government is in a position to tell us if this article written by the American Ambassador and published in the American Reporter and its criticism have not given an encouragement and inspiration to the press in America to be anti-Indian?

Shri Swaran Singh: I am sorry, I cannot either confirm or contradict that. Presumably, the Ambassador, according to his own statement, has issued this in order to improve relations between India and the United States and I could not presume that it could be his intention that this should be picked up and anti-Indian propaganda should be heightened in the United States press

चीनी तथा पाकिस्तानी सैनिकों का जमाव

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*575. श्री प्रकाशवीर शास्त्री :
श्री रामपुरे :
श्री देवनकीनन्दन पोद्दार :
श्री राम सेवक यादव :
श्री मधु लिमये :
श्री आर्ज फरनेन्डीज :
श्री रवि राय :
श्री महाराज सिंह भारती :
श्री मोलहू प्रसाद :
श्री न० कु० साधो :
श्री रामचन्द्र वीरप्पा :
श्री वी० चं० शर्मा :
श्री जगन्नाथराव जोशी :
श्री हुकम चन्द कछवाय :
श्री राम सिंह आमरवार :
श्री ओंकार सिंह :
श्री गा० स्व० शर्मा :
श्री शारदानन्द :
श्री अटल बिहारी वाजपेयी :
डा० कर्णी सिंह :
श्रीमती निर्मल कौर :
श्री भारत सिंह चौहान :
श्री बृज भूषण लाल :
श्री रणजीत सिंह :
श्री विभूति मिश्र :
श्री क० गा० तिवारी :
श्री य० ल० प्रसाद :
श्री स० चं० सामन्त :
श्री ल० कु० बिस्नु :
श्री स० गा० मराडी :
श्री त्रिदिब कुमार चौधरी :
श्री बख्तपाल सिंह :
श्री रा० बरुआ :
श्री ओंकार लाल बेरवा :
श्री बीठा लाल :
श्री सिद्धेश्वर प्रसाद :
श्री शिवकुमार शास्त्री :
श्री रामगोपाल शालवाले :
श्री ओ० प्र० त्यागी :
श्रीमती ज्योत्स्ना चंदा :
श्री अगाड़ी :
श्री गा० ल० मिश्र :
श्री प्र० के० देव :
श्री सु० कु० तापड़िया :
श्री क० प्र० सिंह देव :
श्री अजमल खां :
श्री अढ़ाकर सूपकार :
श्री ब्रह्मानन्दजी :
श्री बैनी शंकर शर्मा :
श्री क० मि० मधुकर :
श्री रामावतार शास्त्री :
श्री देवव्रत बरुआ :

क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारत की सीमाओं पर हाल में हुए चीनी और पाकिस्तानी सेनाओं के जमाव में कुछ कमी हुई है;

(ख) क्या पिछले दो महीनों में किसी भी सीमावर्ती क्षेत्रों में कोई विशेष उत्तेजनात्मक कार्यवाही नहीं हुई है;

(ग) क्या यह भी सच है कि इस बार पाकिस्तान सियालकोट और राजस्थान अंचलों के क्षेत्रों में विशेष तैयारी कर रहा है; और

(घ) यदि हां, तो क्या इस स्थिति का सामना करने के लिये सरकार द्वारा कोई कार्यवाही की गई है अथवा करने का विचार है ?

The Minister of Defence (Shri Swaran Singh): (a) No, Sir.

(b) An Indian police patrol as already stated in Lok Sabha, was fired upon by Pakistani troops on 19th May in the area south-south west of Akhnur. Subsequent to the firing incident, Pakistan strengthened its troops in the Daggar area opposite Akhnur.

(c) and (d). Government are aware that Pakistan has been constructing Defence Works and communications opposite our borders including the Jammu-Sialkot border and Rajasthan-West Pakistan border. All such developments are carefully watched and appropriate steps taken to safeguard the territorial integrity of the country.

Shri Samar Guha: What about West Bengal and Assam border? Is there no activity of Pakistan?

Shri Swaran Singh: He should have studied the question. I am replying to the question as it has been framed.

Mr. Speaker: Let Shri Shastri ask the supplementary question.

श्री प्रकाशवीर शास्त्री : रक्षा मंत्री को अपने इंटेलीजेंस डिपार्टमेंटस से अथवा किन्हीं और स्रोतों से क्या इस प्रकार की जानकारी मिली है कि चीन और पाकिस्तान का जो सैनिक जमाव भारतीय सीमाओं पर है उसकी संख्या कितनी है और क्या इस बार चीन और पाकिस्तान दोनों मिल कर भारत के पूर्वी भाग में विशेष रूप से आक्रमण की तैयारियां कर रहे हैं ?

Shri Swaran Singh: I have already said that there is no unusual concentration of troops on our borders with China and Pakistan. We must not lose sight of the important fact that even in peace time many of the forces, particularly of Pakistan, are deployed in areas which are not far away from our borders. So, we have to be very careful about our defence, whether they keep them in peace position or, actually, they move them on the front. We should not be in a lull merely because they are not on the border. That aspect is always before us.

About the question of Sino-Pakistan collusion, this matter has been stated on the floor of the House on several occasions, that China has been adopting a policy of giving not only political support to Pakistan, and Pakistan's attitude against India, but they have also given them military hardware, tanks, aircraft, ammunition and several other war stores. This collusion is well known to us and we are conscious of this fact. All our arrangements are based upon an appreciation of this relationship between Pakistan and China.

12.00 hrs.

Shri Hem Barua: On a point of order, Sir.

The hon. Defence Minister has now said that there has been no unusual concentration of Chinese and Pakistani troops on our borders. But on a previous occasion, his distinguished predecessor. . .

Mr. Speaker: The point of order has to be answered by the Speaker, not by the Minister.

Shri Hem Barua: ...said on the floor of the House that there has been unusual concentration of Chinese troops on our borders. How do you now reconcile between these two statements? They still remain there.

Mr. Speaker: If it is a wrong statement made now, we shall call for an explanation of the Minister and he will make a statement later on. Now, we go to the Short Notice Question.

Re: Short-notice Question No. 14

Shri Umanath: Sir, I rise on a point of order on this Short Notice Question.

Rule 41(2)(vii) says:

"it shall not relate to a matter which is not primarily the concern of the Government of India;"

Now, this Short Notice Question relates to an entirely law and order situation in one part of West Bengal State. The other day, apart from law and order aspect, it was argued that 'public order' does not come within the purview of the State. You will see from the Seventh Schedule, in the State List, that 'public order' is also included as far as States' powers are concerned.

Sir, you had given a ruling, in your wisdom, the other day, when the question of Naxalbari was raised in the form of a Call Attention notice on the floor of the House that you rejected the Call Attention notice on the ground that that related to a law and order situation and that being a State subject, you did not admit it. But then the only consideration which you showed for permitting the discussion was that that area was a sensitive border area and certain things, like, parallel Government and other things, were mentioned. That was the reason for that. Otherwise, you ruled that that was a law and order question and you rejected the Call Attention notice.

Here, as far as this particular area that is mentioned in the Short Notice Question is concerned, it is not a border area. Then, if that is deducted, your other ruling stands that it is a law and order question and it cannot be admitted. Secondly, it may be said that breakdown of governmental machinery, constitutional machinery, is a thing that is attracted by the Central Government powers as well as the Parliament powers. How to determine the question of breakdown? The question of breakdown which allows the Parliament to be attracted and which allows the Central Government to be attracted should be a point of fact. How is it to be determined? How it is to be determined whether it is a point of fact. It cannot be by my framing a question to that effect. If you allow me framing a question to that effect as a criterion for admitting a question, what will happen? On the law and order question, in every State, I can frame my question in such a way that there is breakdown of governmental machinery, constitutional machinery, and get it admitted. It will be hell for the State Governments to continue functioning. Whether there is a constitutional breakdown or not, it must be determined on the basis of constitutional emergency provisions in Articles 354 and 356. Article 356 says:

> "If the President, on receipt of a report from the Governor of a State or otherwise, is satisfied that a situation has arisen in which the Government of the State cannot be carried on in accordance with the provisions of the Constitution ..."

So, for a question to be admitted under that, the President must be satisfied then we get attracted. Otherwise, by merely framing the question, it does not attract. Here it is merely framing the question and that is why I say this. You have been good enough and I am glad that you are very firm on the question of not allowing this Parliament to be an instrument to encroach upon even the small autonomy that our States have I am glad about that and that is why I am saying that this should not be allowed.

The second rule on which I depend is 41(1) which says:

> "Subject to the provisions of sub-rule (2), a question may be asked for the purpose of obtaining information on a matter of public importance within the special cognizance of the Minister to whom it is addressed."

Under the same rule, you have got this also here:

> "It shall not relate to a matter with which a Minister is not officially connected."

This question is addressed to the Minister of Labour and Employment. But the entire question relates to law and order and breakdown of Constitutional machinery. My point is that this question is addressed to a

Minister who is not at all concerned with the content of the question and, therefore, it is out of order. It may be stated that the area mentioned is mines area and, therefore, it comes under the Union List. It does not, because the jurisdiction of the Central Government, so far as mines area is concerned, according to the Seventh Schedule, item 54, is "regulation of mines...." and according to item 55, "regulation of labour and safety in mines....". Safety does not include law and order safety. Under the Factories Act and Mines Act, safety measures are there and safety means that safety. I am confirming it on the basis of a previous precedent with Mr. Hathi. We had gone on a deputation with regard to mines area where arrests had taken place. When we represented to him about arrests, he clearly said that law and order in mines area was not within his powers, it was in the State List and he was only concerned with labour. This question being a law and order question, on that ground also, it is very clear under the Constitution as well as the rule I have quoted that it does not come under his Ministry.

Shri Nath Pai: I completely disagree with Mr. Umanath. I do not agree with him. The question has been rightly admitted.

श्री मधु लिमये : अध्यक्ष महोदय, मैं भी पायंट आफ आर्डर पर बोलना चाहता हूं।

Mr. Speaker: Should I not say something about the point of order that has been raised? I should say something about that.

श्री मधु लिमये : आपने जो किया है वह ठीक किया है। मैं उसके हक में बोल रहा हूं। आप मुझे सुनने के बाद फैसला दीजिए।

Shri S. S. Kothari: It affects the fundamental rights of the people....

Mr. Speaker: I know.

श्री मधु लिमये : मुझे खेद है कि जिस तरह मैं उस दिन श्री हीरेन मुकर्जी के साथ सहमत नहीं हुआ, उसी तरह मैं आज श्री उमानाथ के साथ सहमत नहीं हूं। कम से कम हम लोगों का यहां पर हमेशा यह रुख रहा है कि ऐसे सार्वजनिक महत्व के मामलों पर बहस करने और चर्चा करने का हमको पूरा अधिकार है। लेकिन चर्चा करने का यह मतलब नहीं है कि हम राज्यों के कार्य-क्षेत्र या अधिकार-क्षेत्र का अतिक्रमण कर रहे हैं। ऐसे कई मामले यहां पर आये हैं। अभी कुछ ही दिन पहले हितवाद में जो हड़ताल चल रही थी, उसके बारे में मैंने एक अल्प-सूचना प्रश्न दिया और मुझे पता चला है कि मंत्री महोदय ने उस को कुबूल किया है। एक मानी में यह औद्योगिक रिश्तों का सवाल है, लेकिन साथ साथ अखबारों के मामले इनफर्मेशन एंड ब्राडकास्टिंग मंत्रालय के मातहत आते हैं। उसी तरह वर्तमान प्रश्न के दो पहलू हैं। मैं मानता हूं कि यह एक सीमित दायरे में कानून और व्यवस्था का मामला हो सकता है लेकिन यह जो कोयले की खानों का मामला है, इस में केन्द्र सरकार को जरूर दिलचस्पी लेनी चाहिये। खास कर जब ट्रेड यूनियन नेताओं का कत्ल होने लगे, तब तो कम से कम चर्चा करने का अधिकार हमको होना चाहिये। मैं संकट-कालीन धाराओं की चर्चा पसन्द नहीं करता हूं, क्योंकि मेरी राय है कि साधारण तौर पर उनका इस्तेमाल नहीं करना चाहिये। माननीय सदस्य ने इस सवाल को छेड़ा है और इस सम्बन्ध में अनुच्छेद 356 का जिक्र किया है, जिसमें राष्ट्रपति-शासन लागू करने की बात कही गई है। लेकिन जहां तक अनुच्छेद 256 का सम्बन्ध है उस में कानूनों पर अमल करवाना यह भी केन्द्र के कार्यक्षेत्र में आता है लेकिन अध्यक्ष महोदय, मुझको यह चर्चा अच्छी नहीं लगती है। मैं केवल यह कह देना चाहता हूं कि अगर यह यहां पर साधारण परम्परा, परिपाटी

बन जायेगी कि ऐसे विशेष मामलों पर बहस तक न हो—राज्यों के कार्यक्षेत्र पर अतिक्रमण मैं नहीं करना चाहता लेकिन यह समूचे राष्ट्र की प्रतिनिधि सभा है इस लिये बहस को रुकाने की यह प्रवृत्ति मुझे अच्छी नहीं लग रही है। अध्यक्ष महोदय, मैं अपने माननीय सदस्य मित्रों से प्रार्थना करूंगा कि चाहे कांग्रेस का राज्य हो, चाहे गैर-कांग्रेसी राज्य हो, या जिस सरकार में हम लोग हैं वह सरकार हो, लेकिन अगर ऐसे मामले आ जाते हैं जैसे अकाल वगैरह की भी चर्चा हम करते हैं वैसे तो खाद्य का मामला राज्यों के मातहत आता है फिर भी हम करते हैं तो बहस पर एतराज नहीं करना चाहिये। इसलिये जरा मैं उन से प्रार्थना करूंगा कि वह कुछ सहिष्णु बनने की कोशिश करें और कम से कम चर्चा का जो क्षेत्र है उस को कम न करें।

Shri N. Dandeker: I am really surprised at the objection. Any number of times, questions have been asked here about collieries, about labour rtrenchment, about the situation arising out of the rationalisation of collieries, for instance, those run by the National Coal Development Corporation and so on.

Here, the problem is both relating to mines as well as to labour and trade unions in the mines, where one of the officials of a trade union has been murdered. If this is not the kind of subject to be treated as of general public importance and urgency about which M.Ps. can ventilate their opinions in this House, I do not know what else can come within the ambit of Central like labour and mining; when incidents of this kind occur, certainly we can take them up here. I suggest, therefore, that this point of order has no substance at all, and it ought to be ruled out.

Shri S. S. Kothari: The Constitution guarantees fundamental rights to the people, particularly the right to life and property. These rights have been violated in this particular case. There is lawlessness there; murders are being committed and property is not safe. If Parliament is not going to discuss them, then what else are we to discuss?

श्री प्रकाशवीर शास्त्री : अध्यक्ष महोदय, पश्चिमी बंगाल में जो भी स्थिति पैदा हुई है वैसे तो इस बात की बहुत बड़ी जिम्मेदारी कांग्रेस सरकार पर है क्योंकि जिस स्थिति का निर्माण पश्चिमी बंगाल में हुआ है उसके लिये कांग्रेस सरकार किस हद तक उत्तरदायी है मैं इस प्रश्न का विवेचन इस समय नहीं करना चाहता। परन्तु इस मामले में केवल यह निवेदन करना चाहता हूं पूर्व इस के कि आप इस व्यवस्था के प्रश्न पर अपनी व्यवस्था दें कि अभी कुछ दिन पहले जब कलकत्ता के औद्योगिक कारखानों के उत्पादन के बारे में प्रश्न आया जिस में घेराव की स्थिति पर चर्चा थी तो ला ऐंड आर्डर का बहाना लेकर कहा गया कि यहां पर इस पर चर्चा नहीं हो सकती, जब नक्सलबाड़ी का प्रश्न उपस्थित हुआ जिसका देश की सुरक्षा से सबंध है तो उस समय भी यह कहा गया कि यह ला ऐंड आर्डर से संबंधित है और यह राज्य सरकार का मामला है, आज इसी तरह खान का प्रश्न है जिस में मजदूरों की स्थिति से उत्पन्न परिस्थिति का प्रश्न है और जिसमें एस० एस० पी० के एक कार्यकर्ता की हत्या हुई है तो फिर ला ऐंड आर्डर का प्रश्न कहा जा रहा है और यह कहा जा रहा है कि इस पर यहां बहस नहीं हो सकती तो अगर पश्चिमी बंगाल सरकार को इसी तरह बेलगाम कर के पार्लियामेंट के अधिकारों को छीन लिया जायगा तो मेरा अपना अनुमान है कि इस देश को एक दिन इस की बहुत बड़ी कीमत चुकानी पड़ेगी।

Shri Jyotirmoy Basu: पश्चिमी बंगाल सरकार पेलयाम चलता है। Is it parliamentary?

The West Bengal Government is a legally elected democratic Government. So, he cannot make remarks like this.

Mr. Speaker: That was what Shri Umanath had also said.

Shri R. Barua *rose*—

Mr. Speaker: Does the hon. Member also agree that the question must be answered?

Shri R. Barua: No. However much sympathy we may have with the sentiments expressed, I would submit that the question as it framed presupposes a breakdown of law and order in the State, because the wording of the question is whether any breakdown of constitutional machinery is prevalent in such and such places. So, there is an assumption in the question in that regard; if that is so, then there should be a certificate to that effect from the Government. If we admit this question on this basis, because of our sympathy in the matter, it would mean that similar things would crop up again and again on the floor of the House. Therefore, my submission is that this question is not relevant, and it is hit by the constitutional provision, because it does interfere with the existing government in a particular State. Unless a situation has arisen in a particular State where the Governor is satisfied that law and order has broken down, and he sends a communication to the President to that effect, we cannot take it up here. It is only when the Governor is satisfied that there is a breakdown of law and order and sends a report to that effect that we can take it up here.

Shri Nath Pai: I should not have liked to speak at all but for my fear that silence on this occasion may be misconstrued or misunderstood as acquiescence on my part in the fallacious submission of my hon. friend, Shri Umanath. (*Interruptions*).

I shall now come to the substantive part of my submission. In the first place, you should not have any hesitation in ruling out of order the so-called point of order he has tried to raise here. You rightly admitted this question. I would not like anybody to try to curtail, slowly or otherwise, the rights of this House. There is a growing tendency now-a-days to do so on the pretext of defending the rights of the States, the States encroaching on the rights of Parliament. Some of us will resist it at every stage. Everywhere we are now hearing this talk of the rights of the States. But what about the rights of Parliament?

I would like you to refer to art. 19. Among the rights listed therein and given to us all citizens, are these:

> "to assemble peaceably and without arms; to form associations or unions".

What was happening in this particular area was that a valiant colleague of ours was brutally butchered. Shall we be gagged, muzzled or throttled when a valiant calleague of ours, whom we had known for 20 years, was brutally assaulted and then hacked to pieces? We are told 'It is a State subject; keep quiet'.

Shri Tridib Kumar Chaudhuri: Shri Nath Pai's party is also represented in the State Government. I am also a Member of Parliament and I am conscious of the rights of Parliament.

Shri Nath Pai: I shall uphold the right of Parliament; he is free to deny Parliament its rights (*Interruptions*)

Shri H. N. Mukerjee: Let us hear arguments and not this melodrama. (*Interruptions*)

Shri Nath Pai: This is not melodrama. I shall make my submissions in my own way. I will not be muzzled like this.

Shri Jyotirmoy Basu: His Party has got representation in the West Bengal Cabinet.

Shri Nath Pai: Item 54 of the Union List, Regulation of Mines, and item 55, Regulation of labour and safety in mines—these are Central subjects. Finally, Labour is a Central subject.

An hon. Member: Concurrent subject.

Shri Nath Pai: All right, concurrent subject. We have always raised the question of rights of labour here.

Therefore, I would submit to you: in the first place, please try to resist any curtailment, any abridgment, of the rights of Parliament; secondly, this question, I think, was rightly admitted and therefore, you should rule the point of order out of order

Shri S. A. Dange: I only wanted to say that I would not mind Parliament discussing the murder or assault of any trade unionist in any industrial dispute in any part of the country.

Mr. Speaker: I would like to explain the procedure followed with regard to Short Notice Questions. First they are sent to the Ministers concerned. It is only after the Minister accepts a Short Notice Question that it gets printed. Normally it is accepted. Naturally in this case the Minister accepted it. That is why it has been put down here. It is not as if it is only a law and order question, but other things are also connected with it. Shri Hathi himself had said, according to Shri Umanath, sometime ago, when he was perhaps Minister in the Home Ministry, that only labour matters should be considered and not law and order matters. So he will himself bear that in mind and answer. I would now request him to answer the question.

The Minister of State in the Ministry of Labour Employment and Rehabilitation (Shri L. N. Mishra): Before I answer it, with due respect, I would say the question is admitted by the Lok Sabha Secretariat and we are asked to say whether we are prepared to answer at a short notice....

Mr. Speaker: This is a Short Notice Question. It is the responsibility of the Minister. If he says, 'I am sorry, I cannot answer', the Lok Sabha Secretariat is helpless. He must at least know the rules.

SHORT NOTICE QUESTION

Lawlessness in Collieries in Burdwan District

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S.N.Q. 14. **Shri D. N. Patodia:**
Shri S. K. Tapuriah:
Shri P. K. Deo:
Shri Mohamed Imam:
Shri Charanjit Rai:
Shri N. Dandeker:
Shri Kanwar Lal Gupta:
Shri A. B. Vajpayee:
Shri K. N. Tiwary:
Shri Tulshidas Jadhav:

Will the Minister of **Labour and Rehabilitation** be pleased to state:

(a) whether a state of complete lawlessness, anarchy and breakdown of constitutional machinery is prevalent in Ratibari and Kuradi collieries in Burdwan, district of West Bengal;

(b) if so, whether there have been several cases of lawlessness, assault, unlawful confinement and attempts to damage public and private property by the armed outsiders; and

(c) whether an SSP leader who was also the Secretary of the Colliery Muzdoor Congress was brutally murdered by anti-social elements recently and the action, if any, being taken by Government to give full protection to the collieries in question and the people who are employed there and those living in those areas?

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri L. N. Mishra): (a) and (b). The situation in these Collieries has unfortunately seriously deteriorated recently. There have been cases of intimidation, assault violence and wrongful confinement.

(c) Shri B. P. Jha, a S.S.P. leader and Secretary of the Colliery Mazdoor Congress was killed in a disturbance at the Kuardi Colliery on June 1967.

The situation in these collieries arising from inter-union rivalry poses a law and order problem and the Central Government have requested the State Government to take suitable measures

Shri D. N. Patodia: Since the situation and the prevailing lawlessness has been admitted by the hon. Minister, I would like to know what reply the State Government has given so far, and if it has chosen to remain silent on the subject, in what manner the Central Government propose to proceed further in the matter.

Shri L. N. Mishra: They are not silent. The police are investigating the case. FIR has been filed.

Shri D. N. Patodia: These disturbances in the collieries as well as certain other disturbances in Naxalbari are part of the big agitation of gherao in West Bengal, by which complete lawlessness is prevailing there and the fundamental rights of protection are being denied. Therefore, in this bigger context, may I know what positive steps the Government propose to take by which the fundamental rights of the people are protected and the exodus of people from West Bengal is prevented?

Shri L. N. Mishra: We are concerned primarily with the limited question of industrial relations in this colliery. I would not like to go into those matters.

Shri S. K. Tapuriah: From gherao to Naxalbari to Kharibar, it is a very sad state of affairs in West Bengal. A reign of terror has been let loose. We have also seen that the advice given by Mr. Y. B. Chavan, and the recent proposal to send a team of MPs to Naxalbari have been resented. Even the admission of the question has been resented.

Shri Vasudevan Nair: Are you allowing the State Government to be slandered like this?

Shri S. K. Tapuriah: These people even try to question your authority to admit this question. All these things are going on because they want Parliament to stay away from this thing. My question is: how long can the Centre sit tight and watch the deteriorating situations? Are they taking any positive action against them?

Shri L. N Mishra: We are not sitting tight. So far as industrial relations are concerned, we have taken positrve steps. We have created a kind of a special cell for it, deputed a new officer, additional officer, to the collieries of Bihar-Bengal. We are not sitting tight so far as industrial relations are concerned.

Shri Mohammed Imam: Is the State Government aware of this lawlessness that is going on there, and if so, what action did they take? May I know which are the political parties that have been encouraging this lawlessness?

Mr. Speaker: He may answer about labour trouble, not about law and order

Shri L. N. Mishra: There was a clash between the workers of two unions, not between political parties, two central organisations of labour, AITUC and HMS. The leader of the SSP murdered by the followers of the other group as it is alleged.

Shri N. Dandeker: I hope the Minister would not—I assume the Government deals with this matter as one of joint responsibility—keep on saying this concerns local labour, or this does not concern something else. This situation in West Bengal and in parts of East Bihar is reminiscent of what happeneid in Telengana in 1947 and 48 At that time, the Central Government thought fit to take decisive action and that action was quite effective, and this whole kind of rot was stamped out with a very firm hand. I want to know why the Central Government

is not now taking similar action to stamp out this thing with a very firm hand.

Shri L. N. Mishra: I would not like to go into the history of Telengana or anything. Our responsibility is confined to industrial relations in the collieries. We have taken firm, positive action, and we feel that industrial peace will be restored.

Shri N. Dandeker: What positive action?

Mr. Speaker: He is answering the question about the collieries, not about law and order. He is labour Minister. Naturally he is answering only about labour.

Shri N. Dandeker: There is joint reponsibility of the Government, and he cannot keep on shirking this question

श्री कंवर लाल गुप्त : अध्यक्ष महोदय, 31 मई को कुछ लोगों ने एस० एस० पी० यूनियन के लीडर का मर्डर किया—एक तो आपने उन का नाम नहीं बताया .

श्री मधु लिमये: बनारसी प्रसाद झा ।

श्री कंवर लाल गुप्त : दूसरे इन यूनियन के लोगों ने 31 मई को कोयला खानों के मालिकों को 9 घन्टे तक धूप में खड़ा रखा, उन को शौचालय नहीं जाने दिया, पानी नहीं पीने दिया . . . .

श्री बी० ज० डांगे : बहुत अच्छा किया ।

श्री हुकम चन्द कछवाय : यही आपका कल्चर है ।

श्री रु० कु० लवनिया : आपको धूप का क्या पता, आप तो एयर-कन्डीशन गाड़ियों में घूमते हैं । धूप कैसी कड़ी होती है, इसका आपको क्या पता ।

श्री बी० ज० डांगे : अच्छा किया और यह हमा करेंगे इस प्रकार के मालिकों के खिलाफ ।

It is the owners who are maintaining gangsters, and we are going to act against them.

Mr. Speaker: You can do it outside, if you please. This is Parliament House (*Interruptions*).

श्री कंवर लाल गुप्त : इन के कत्ल के अतिरिक्त तीन आदमियों को किडनैप कर दिया गया और बहुत सारों को लाठी से पीटा गया । इस सम्बन्ध में मैं सरकार से पूछना चाहता हूं कि क्या आप के पास 7 जून को कोलियरीज के मालिकों की तरफ से कोई पैटीशन आई थी, यदि आई थी, तो उस में मोटे मोटे कौन कौन से प्वाइन्टस थे ?

दूसरी बात मैं यह पूछना चाहता हूं कि आइन्दा लेबर के इस प्रकार के इन्सीडेन्टस न हों, जिस में ट्रेड यूनियन लीडरान को कत्ल किया जाता है, उन को लाठियों से मारा जाता है, इस के लिये सरकार क्या कदम उठा रही है ?

श्री ल० ना० मिश्र : जहां तक 31 ता० की बात है, रत्तिबाडी में घेराव हुआ था, वहां के मैनेजर और दूसरे लोगों को तकलीफ हुई थी—यह सही है । उन को चार बजे तक धूप में खड़ा रखा गया, पानी नहीं दिया गया । लेकिन जहां तक मैनेजमेन्ट के लोगों का तारीख 7 को मिलने का ताल्लुक है, मैं कह नहीं सकता कि कौन सी तारीख थी, लेकिन वहां के लोग हमसे और दूसरे अन्य साथियों से मिले थे और उन्होंने अपनी कठिनाइयां बताई थीं कि किस तरह वहां पर दो यूनियनों की लड़ाई के कारण उन के लिये कठिनाई उत्पन्न हो रही है और उत्पादन में बाधा पड़ रही है ।

जहां तक श्री बी० पी० झा के कत्ल का संबन्ध है—4 जून को उन का कत्ल ग्रुप के संघर्ष के कारण हुआ ।

श्री कंवर लाल गुप्त : मेरे प्रश्न के दूसरे भाग का उत्तर नहीं आया—आइन्दा इस

तरह के झगड़े न हों, ट्रेड यूनियनों के बीच में कत्ल तक नौबत न आये, उस के लिये आप ने क्या किया ?

Shri S. A. Dange: In this murder, the AITUC is not concerned.

श्री स० मा० मिश्र : हम इस में कुछ नहीं कर सकते । ये जो ट्रेड यूनियन चलाने वाले नेता हैं, जिनके संगठन हैं, उन को एक दूसरे के प्रति टालरेन्स रखना होगा, उन को एक दूसरे के साथ काम करने की भावना जगानी होगी । जो लोग वहां काम कर रहे हैं, उन में एक के नेता कम्युनिस्ट मार्क्सिस्ट लोग हैं और दूसरे के एस० एस० पी० । अगर वे सरकार साथ चला सकते हैं तो मजदूर आन्दोलन भी साथ चला सकते हैं ।

श्री शंकर लाल गुप्त : अध्यक्ष महोदय, मुझे मिनिस्टर साहब की बात से ऐतराज है । वे कह रहे हैं कि दोनों ट्रेड यूनियनें जानें । दोनों ट्रेड यूनियनें लड़ती हैं, झगड़ा करती हैं लेबर डिस्प्यूटस फैलते हैं, तकलीफ होती है- सरकार चुप बैठ कर अपनी इम्पोटेन्सी दिखाती रहेगी, इन-काम्पीटेन्सी दिखाती रहेगी—यह क्या जवाब मिनिस्टर साहब ने दिया कि हम कुछ नहीं कर सकते ।

Mr. Speaker: This is a police matter.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, मैं यह जानना चाहता हूं कि श्री झा की हत्या किन परिस्थितियों में हुई ? क्या यह सच है कि जब श्री झा अपने कार्यकर्ताओं की सभा को सम्बोधित कर रहे थे, उनके ऊपर आक्रमण किया गया, उन के विरुद्ध हथियार काम में लाये गये, बम का प्रयोग हुआ ? क्या सरकार ने पता लगाने की कोशिश की कि इस हत्या के बाद जो हत्या में सम्मिलित समझ जाते हैं उन के खिलाफ क्या कार्यवाही की गयी ? क्या अभी तक उन को गिरफ्तार किया गया है या वे वैसे ही खुले हुए घूम रहे हैं ?

श्री स० मा० मिश्र: पहली बात तो यह कि गुप्ता जी ने कहा कि हम लोग बैठे हुए हैं हम लोग बैठे हुए नहीं हैं और न ही इनकाम्पीटेन्ट हैं । हमारी स्टेट गवर्नमेंट की पुलिस वहां पर काम कर रही है, तहकीकात कर रही है । जहां तक इस घटना की बात है—बम का भी प्रयोग वहां पर हुआ, ऐसा कहा जाता है, भाले, तलवार, लाठी आदि का भी प्रयोग हुआ और इस तरह से उनका कत्ल किया गया । जहां तक उन लोगों की गिरफ्तारी का सवाल है, अभी तक कोई गिरफ्तारी नहीं हुई है । मैंने यहां आने से पहले कलकत्ता टेलीफोन करवाया था और वहां से यह मालूम हुआ कि अभी तक कोई गिरफ्तार नहीं हुआ है, लेकिन दोनों तरफ की बातें पुलिस के सामने हैं—श्री झा के लोगों के बयान और दूसरे लोगों के बयान पुलिस के सामने हैं और पुलिस इस के बारे में तहकीकात कर रही है ।

श्री नाथ पै० दोनों तरफ की बातें क्या ?, वह आदमी मर गया है या नहीं ?

Shri D. N. Patodia: On a point of order It is a most unsatisfactory answer. The murder occurred on the 4th. I believe some very vital interests are involved in it. So, this matter should be discussed in this House for two hours.

Mr. Speaker: We will see

श्री शिव नारायण यह जो मर्डर हुआ तो वह पुलिस और उस राज्य का विषय है और उसमें सैंट्रल गवर्नमेंट कोई इंटरफीयरेंस नहीं कर सकती क्यों कि वह तो उस राज्य और पुलिस का मामला है और यह उन का ही विषय है ।

Shri Jyotirmoy Basu: I shall read out briefly what the Deputy Inspector-General of Police, an officer of the Indian Police Service, who is ultimately controlled by the Central

Government, has stated in his report. He has said:

"About 500 men equipped with deadly weapons attacked number 11 and 12 cooli Dharaos of the said colliery under the leadership of Mr. B. P. Jha. As a result of this attack, 11 colliery workers were seriously injured...."

Several hon. Members *rose*—

An hon. Member: He should not read.

Shri D. N. Patodia: Let the Minister explain.

Mr. Speaker: Please put the question. Do not read.

Shri Jyotirmoy Basu: May I know whether the Central Government has received a report submitted by the DIG of Police, Burdwan Range and, if so, what is the reaction of the Central Government thereto? The statement says: "About 500 men .." (*Interruption*).

Several hon. Members *rose*—

Shri Umanath: It is not fair. They have put so many questions, and when the hon. Member gives the other version, why should they shout?

Mr. Speaker: I have allowed him to put his question. But he goes on reading something.

Shri Jyotirmoy Basu: I shall obey you and put a question. The only thing is that they referred to some details and so I wanted to put forward the other version. (*Interruption*). The statement says: "About 500 men equipped with deadly weapons attacked No. 11 and 12 cooli Dharaos. . . Then, 'in the report it has been further stated that when the workers led by B. P. Jha were going back after beating up the workers of cooli Dhaoras in this way, the beaten up workers attacked them from behind and seriously injured Shri Jha. Shri Jha died and his dead body was thrown away. Except Shri Jha, nobody was injured".

Several hon. Members *rose*—

Mr. Speaker: Order, order. All of you must sit down. I am explaining the position. This is the Question Hour. We are not discussing any subject. You have the right to put a question, and nobody can prevent you from putting your question. I shall see that everybody gets a chance. I can guarantee that. If one side has a right to shout, then the other side also has that right to shout. Now, this is Question Hour. Shri Umanath also raised some points, some constitutional points, and so on. The other hon. Member refers to some police writings. During a debate you can raise such things but not during the Question Hour. Therefore, I would request Shri Jyotirmoy Basu to put his question and not begin reading it again. The same thing he could have put in a different way.

Shri Jyotirmoy Basu: May I know, in view of the fact that the DIG of Police, has reported that B. P. Jha was beaten up and he died and that the persons living in those two Dhaoas belong to the Communist (Marxist) led union, is it true that the Government has received similar reports from the DIG, Burdwan Range, West Bengal Government, and, if so, what is the reaction of the Government thereto?

Shri L. N. Mishra: Hon. Member Shri Jyotirmoy Basu seems to have better access to the Government records than we have. At the moment, I have no copy of the report of the DIG, Burdwan Range. But the Home Secretary to the West Bengal Government has sent us a report. I will not like to read out from it, because the case is under investigation. We have also reports from our own organisation. In the collieries, we have the Chief Labour Commissioner and the Additional Labour Commissioner. We have reports from them. There are different versions, but it is a fact that Mr. B. P. Jha was murdered. Other things are disputed, but this murder is not in dispute.

Shri Jyotirmoy Basu: Under what circumstances did it happen?

An hon. Member: Are you defending the circumstance?

Shri D. N. Patodia: But no action has been taken so far.

श्री राम सेवक यादव : अध्यक्ष महोदय, मैं स्वयं वहां पर गया था। जो जानकारी मुझे मिली है उस आधार पर मैं पूछता हूं कि श्री बी० पी० झा० की हत्या बहुत ही घृणित थी और क्या यह सही है कि 4 जून को जब हत्या हुई उस के पहले 2 तारीख को यूनियन के 3 कार्यकर्ताओं को जिसके वह नेता थे पकड़ा गया और उनको परेशान किया गया। उस दहशत से पैदा हुई हालत को कंट्रोल करने के लिए वह सभा होने जा रही थी और उस सभा को वह जा रहे थे तब उन की हत्या की गई या बम वगैरह का इस्तेमाल हुआ और क्या यह सही है कि कुछ लोगों के नाम एफ० आई० आर० में दर्ज कराये गये जिनमें लेफ्ट कम्युनिस्ट पार्टी के नेता लोग हैं उन के खिलाफ आज तक कोई कार्यवाही यहां तक कि छानबीन भी और पूछ ताछ भी नहीं की गई तब उस संदर्भ में मैं यहां जानना चाहूंगा कि जब मंत्री महोदय ने कहा कि यह मामला जांच पड़ताल के मातहत है छानबीन हो रही है और जब ऐसी स्थिति है तो डी० आई० जी० को क्या हक था और किस नियम के मातहत उन्होंने बयान दिया जब कि वहां की छानबीन हो रही है ? दूसरे यह जो राइवल यूनियन्स की बात होती है लैफ्ट कम्युनिस्ट और एस० एस० पी० की तो यह लैफ्ट कम्युनिस्टों की यूनियन कितने दिन पहले बनी थी और वह एम० एम० पी० की पहले वाली यूनियन कितने दिनों से चल रही है और क्या यह सही नहीं कि वहां के ट्रेड यूनियन मूवमेंट को जोकि शांतिपूर्ण चल रहा था उस को खराब करने के लिए यह सब कार्यवाही की गई ?

श्री ब० रा० सिंह : यह बात सही है कि यह जो श्री बी० पी० झा० का कत्ल हुआ उस से पहले से ही वहां झगड़ा चल रहा था। माननीय सदस्य ने कहा कि वह स्वयं वहां पर गये थे, मुझे मालूम है कि वह वहां पर गये थे। उन को स्मरण होगा कि 5 मई से ही वहां की हालत खराब चल रही थी और इस तरह के इंटिमिडेशन ऐसाल्ट वाएलैंस और रौंगफुल कमफार्टमेंट के काफी केसेज हो चुके थे। उन की एक अच्छी खासी लम्बी फहरिस्त होगी। मैं समझता हूं कि दस, बारह ऐसी घटनाएं होंगी, लेकिन इस समय मैं उनका जिक्र नहीं करना चाहता और उनका ब्योरा नहीं देना चाहता। जहां तक इन राइवल यूनियन्स का सवाल है, एस० एस० पी० की यूनियन सब से पुरानी यूनियन है और वह रिकगनाइज्ड यूनियन है। यह जो लैफ्ट मार्क्सिस्ट कम्युनिस्टों ने बनाई है वह यूनियन बाद की है यह एलेक्शन के बाद बनी है और उन की यह यूनियन रिकगनाइज्ड नहीं है इस के लिए मालिक पर दबाव डाल रहे थे कि तुम हमारे साथ काम करो और उनके साथ काम मत करो। जहां तक बंगाल का प्रश्न है बंगाल के कोयले की खदान में एस० एस० पी० वालों की को जो यूनियन है उस को हम मानते हैं, उन की ताकत ज्यादा है और इन तीन जगहों में भी एस० एस० पी० वालों की ताकत ज्यादा थी और उन की यूनियन्स को मान्यता थी।

जहां तक गुजरियों का सवाल है मैं उन से कहूंगा कि जो मुझे खबर मिली है उस के अनुसार श्री महेन्द्र सिंह, सेक्रेटरी कुराडी यूनिट कोइलिएरी मजदूर कांग्रेस एस० एस० पी० ने तथा श्री हरिहर राय एम० एस० ए०, रोबिन चटर्जी वाइस प्रेसिडेंट कोइलिएरी मजदूर सभा सी० पी० आई० मार्क्सिस्ट और रोबिन सेन ए सीटिंग सी० पी० आई० मार्क्सिस्ट वर्कर और 21 अन्य लोगों के नाम पुलिस में खतीर गुजरियों के लिखाये हैं। पुलिस उस की तहकीकात कर रही है।

Shri Hem Barua: The Minister said that this situation in that particular area started deteriorating from the 5th May Unfortunately the police in West Bengal has been immobilised due to so many reasons. It is a fact that the police in West Bengal has been immobilised and the situation started deteriorating from 5th May, resulting in the murder of a man. The murder of a man is a reprehensible thing. Why is it that they did not do anything to give any protection to the trade union workers? *(Interruption)*

12.38 hrs.

RE OPPORTUNITY TO ASK SUPPLEMENTARIES

Mr. Speaker: Before I pass on to the next item I would like to bring one thing to the notice of the House One hon Member has sent a note which has really pained me. He says that he is very sorry for my high-handedness and all that. If he had been only educated in India I would not have minded, but he is highly foreign educated and all that

Shri Nath Pai: Why don't you mention the name.

Mr. Speaker: I do not want to mention the name.

Shri Nath Pai: Then all of us become suspect in the eyes of the House.

Mr. Speaker: No, none of you has done this. I would call that hon. Member and speak to him rather than mention it here. But I would like to express my pain and grief over the way in which it is done. I spent 40 minutes today over one question. I knew it was wrong, but I allowed the House to go on with only one question. I know during the Question Hour one question cannot be allowed to go on for 40 minutes. If in spite of that, if one hon. Member was not called, he says that it was high-handedness on my part, it is really unfortunate. I would request him—he knows it, one hon. Member here knows it.

Shri Hem Barua: In all fairness, Sir, you should identify the Member or else what will happen is, we also tried to catch your eye .

Mr. Speaker: I know that. I entirely agree with you. But the hon. Member who sent me the note knows it I am sure he will himself feel sorry for this.

WRITTEN ANSWERS TO QUESTIONS

Demilitarised Zone between North and South Korea

***574. Dr. Ramen Sen:** Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that North Korea has informed India of increasing U S violations in the demilitarised zone between it and South Korea; and

(b) if so, the reaction of Government thereto?

The Minister of External Affairs (Shri M. C. Chagla): (a) Yes, Sir.

(b) The Government of India have noted the claims and charges made by both the sides.

Applications for Passports

***576. Shri George Fernandes:**
Shri J. H. Patel:
Shri Madhu Limaye:

Will the Minister of **External Affairs** be pleased to state:

(a) whether there has been a phenomenal rise in the applications for passport since the Supreme Court's judgment holding that it was the fundamental right of every citizen to secure a passport; and

(b) whether all applicants have been issued the passports?

The Minister of External Affairs (Shri M. C. Chagla): (a) There has been a slight increase in the number of applications for passports after the Supreme Court Judgment in addition to the increase which had already occurred as a result of liberalisation of rules in June last year.

(b) Efforts were made by the available staff handling the increased work-load to dispose of as many passport applications as possible. During 1966 only .4 per cent applications were rejected. In the first 5 months of 1967 18 per cent of applications were rejected.

Investigations into use of Toxic Chemicals in Vietnam

*578. **Shri Indrajit Gupta:** Will the Minister of **External Affairs** be pleased to state:

(a) whether the International Control Commission for Vietnam has made any investigation into the allegation that toxic chemicals are being used by U.S.A. against the civilian population in South Vietnam; and

(b) if so, the findings thereof?

The Minister of External Affairs (Shri M. C. Chagla): (a) It is understood that the International Commission has received complaints from the People's Army of North Vietnam about the alleged use of toxic chemicals and gases by the United States of America in South Vietnam.

(b) The Commission sends reports of its activities to the Co-Chairmen of the Geneva Conference. No report on this subject has been received by the Government of India so far.

Violation of Indian Air Space by Pakistan

*579. **Shri Yashpal Singh:**
Shri S. C. Samanta:
Shri Onkar Lal Berwa:
Shri Hukam Chand Kachwai:
Shri Jagannath Rao Joshi:
Shri Swell:
Shri D. C. Sharma:
Shri Meetha Lal:
Shri K. N. Pandey:
Shri Vishwa Nath Pandey:
Shri Tridib Kumar Chaudhari:

Will the Minister of **Defence** be pleased to state:

(a) whether a fighter plane from East Pakistan entered Indian territory and flew over the villages of Jayantiput and Haridaspur of 24 Parganas District on the 30th April, 1967;

(b) whether this was the second incident of air intrusion within a week; and

(c) the action which has been taken in the matter?

The Minister of Defence (Shri Swaran Singh): (a) No, Sir.

(b) and (c). Do not arise.

Infiltration of Tibetans in Bhutan

*580. **Shri D. N. Patodia:**
Shri C. C. Desai:
Shri R. Barua:

Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that there has recently been heavy infiltration of Tibetans into Bhutan;

(b) if so, the total number estimated to have crossed over to Bhutan from Tibet;

(c) whether the Government of Bhutan have approached the Government of India in this regard; and

(d) if so, whether any steps have been taken to deport the infiltrators and check their entry any further?

The Minister of External Affairs (Shri M. C. Chagla): (a) A number of Tibetans have crossed over to Bhutan in the recent past.

(b) The number of Tibetans who crossed over to Bhutan between the period 1st October, 1966 to 31st March, 1967 is 132.

(c) No, Sir.

(d) No, Sir. All such Tibetans are interrogated and those found genuine refugees are permitted to enter and settle in India. Those against whom there is any suspicion are kept in detention.

Supply of Military Equipment by Russia to Pakistan

*581. **Shri Sradhakar Supakar:**
Shri N. R. Laskar:
Shrimati Tarkeshwari Sinha:
Shri Mohsin:
Shri Dhirendranath:
Shri K. P. Singh Deo:
Shri Y. A. Prasad:
Shri N. K. Sanghi:
Shri Parthasarathy:
Shri Bedabrata Barua:

Will the Minister of Defence be pleased to state:

(a) whether the U.S.S.R has recently supplied a large quantity of military equipment to Pakistan;

(b) the total value of the military equipment purchased by Pakistan from U.S.A., U.S.S.R. and Iran in the recent months; and

(c) the steps taken by Government to meet the threats from Pakistan?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) Government have not received any reports to this effect.

(b) In view of the answer to (a) the question relating to value of purchase of military equipment by Pakistan from the U.S.S.R. does not arise. The U.S.A. has recently made it possible for Pakistan to purchase non-lethal equipment as well as spares for lethal equipment. No information is available as to the extent to which this facility has been availed of. It is known that Pakistan has obtained a variety of arms and spares, ammunition and vehicles from Iran. It is not possible to give an estimate of the value of the purchases made by Pakistan from U.S.A. and Iran.

(c) The arms build-up of Pakistan is being closely watched by Government and steps necessary to meet the threat to our security arising therefrom are constantly under review and appropriate steps are taken to deal with any threat posed by it.

Indian Contingent with UNEP in Gaza

*582. **Shri K. P. Singh Deo:**
Shri Atam Das:
Shri Prakash Vir Shastri:
Shri Raghuvir Singh Shastri:
Shri Shiv Kumar Shastri:
Shri Arjun Singh Bhadoria:
Shri Molahu Prasad:
Shri B. S. Sharma:
Shri D. C. Sharma:

Will the Minister of External Affairs be pleased to state:

(a) whether the evacuation of the Indian contingent with the UNEF in Gaza has commenced; and

(b) when the evacuation process is likely to be completed?

The Deputy Minister in the Ministry of External Affairs (Shri Surendra Pal Singh): (a) and (b). The Indian Contingent with UNEF has already left Gaza. Of the 981 officers and men of the Contingent 14 were killed, 948 have arrived in India *via* Cyprus and the remaining 19 are expected to return home soon.

मंत्रालयों द्वारा समाचार एजेंसियों की सेवाएं प्राप्त करना

583 श्री सिद्धेश्वर प्रसाद क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि

(क) कौन-कौन से मंत्रालय समाचार एजेंसियों की सेवायें प्राप्त करते रहे हैं तथा उन समाचार एजेंसियों के नाम क्या हैं तथा पिछले तीन वर्षों में इन एजेंसियों को क्रमश: कितनी राशि का भुगतान किया गया

(ङ) क्या कभी किसी मंत्रालय ने समाचार एजेंसियों की सेवाएं प्राप्त करने की उपयोगिता का मूल्यांकन किया है ;

(ग) यदि हां, तो इसका क्या परिणाम निकला ; और

(घ) यदि नहीं, तो मूल्यांकन न करने के क्या कारण हैं और वर्तमान प्रबन्धों में सुधार करने के लिये क्या कार्यवाही की जा रही है ?

सूचना और प्रसारण मंत्री (श्री के० के० शाह) : (क) अब तक सात मंत्रालयों से सूचना मिली है । सूचना और प्रसारण मंत्रालय के अतिरिक्त दो अन्य मंत्रालय—(1) वैदेशिक कार्य मंत्रालय तथा (2) प्रतिरक्षा मंत्रालय—समाचार एजेंसियों की सेवायें प्राप्त कर रहे हैं । इन मंत्रालयों ने पिछले तीन वर्षों में जो खर्च किया उसका एक विवरण सदन की मेज पर रखा जा रहा है । [पुस्तकालय में रखा गया । देखिये संख्या एस० टी–705/67] बाकी मंत्रालयों के बारे में सूचना एकत्र की जा रही है और सभा पटल पर रख दी जायेगी ।

(ख) से (घ). सूचना और प्रसारण मंत्रालय इन समाचार एजेंसियों की सेवाओं की उपयोगिता का मूल्यांकन करने के लिये नीचे दी गई बातों पर निर्भर करता है :—

1. स्वीकार्यता
2. विश्वसनीयता
3. स्पीड और
4. फैलाव

इन परीक्षणों को ध्यान में रखते हुए, ये सेवायें लाभदायक सिद्ध हुई हैं । अन्य मंत्रालयों ने इन सेवाओं का मूल्यांकन करने के लिये कौन से परीक्षण अपनाये हैं, इसके बारे में सूचना एकत्र की जा रही है ।

यह सच है कि प्रेस कमीशन ने 1954 में यह उल्लेख किया था कि कोई समाचार एजेंसी चाहे कितनी भी वस्तुनिष्ठ क्यों न हो, एकाधिकार के कारण कुछ त्रुटियां पैदा हो सकती हैं । ये कमियां प्रतियोगी सेवा द्वारा, जो सभी उपभोक्ताओं को स्वतन्त्र रूप से उपलब्ध हों, दूर की जा सकती हैं । इन बातों को ध्यान में रखते हुए, आकाशवाणी तथा इस मंत्रालय के अन्य विभागों के लिये तीन और समाचार-एजेंसियों की, जिनके नाम हैं—समाचार भारती, हिन्दुस्तान समाचार तथा इंडिया न्यूज एण्ड फीचर अलायन्स, सेवायें प्राप्त करने का प्रश्न विचाराधीन है ।

संसद् सदस्यों के भाषण

*584. श्री सरजू पाण्डेय :
श्री इसहाक सम्भली :

क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि आकाशवाणी से लोक सभा में सदस्यों द्वारा दिये गये भाषणों का प्रसारण किया जाता है ;

(ख) यदि हां, तो क्या यह भी सच है कि ऐसे भाषणों के प्रसारण के बारे में कोई निश्चित नीति नहीं है ;

(ग) क्या यह भी सच है कि 31 मई, 1967 को रेलवे बजट पर चर्चा के समय जिन सदस्यों ने भाषण दिये थे सायंकाल 8–15 बजे के समाचार प्रसारण में उन सभी नामों का उल्लेख नहीं किया गया था; और

(घ) यदि हां, तो इसके क्या कारण हैं ?

सूचना और प्रसारण मंत्री (श्री के० के० शाह): (क) से (घ). संसद् सदस्यों द्वारा दिये गये भाषण प्रसारित नहीं किए

जाते । बहस के दौरान कही गई मुख्य बातें ही समाचार बुलेटिनों या "संसद समीक्षा" में शामिल की जाती हैं । यह सही है कि 31 मई, 1967 को रेलवे बजट पर हुई बहस के दौरान जिन सदस्यों ने भाषण दिये थे, उन सब के नामों का [उल्लेख 8.15 बजे के प्रसारण में नहीं किया गया था । जसा कि पहले बताया जा चुका है बहस के दौरान कही गई मुख्य बातें ही समाचार बुलेटिनों या संसद समीक्षा में शामिल की जाती हैं । आकाशवाणी द्वारा प्रसारित किए जाने वाला लम्बे से लम्बा समाचार बुलेटिन 15 मिनट की अवधि का होता है । इसमे समस्त संसार के समाचार दिए जाते हैं, जिनमें संसद में जो कुछ होता है वह भी शामिल है । ससद समीक्षा 10 मिनट की अवधि की होती है । इन समीक्षाओं में, संसदीय बहसों के अतिरिक्त संसद में हुए हास्य-विनोद और उसके सामान्य वातावरण का भी उल्लेख किया जाता है । अत: संसद में जो कुछ होता है, उसके बारे में प्रसारण सीमित होता है ।

Visit of Underground Naga Representatives to London

*585. **Shri Atam Das:**
Shri Vishwa Nath Pandey:
Shri Yajna Datt Sharma:
Shri Jagannath Rao Joshi:
Shri D. C. Sharma:

Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that two underground Naga leaders left for London to have a talk with Mr. Phizo about the settlement of the Naga problem;

(b) if so, whether it is also a fact that before leaving for London, they had talks with Officers of the External Affairs Ministry in New Delhi;

(c) if so, the text of such talks; and

(d) the reasons for granting them visas and foreign exchange?

The Minister of External Affairs (Shri M. C. Chagla): (a) Two representatives of the Naga Underground have proceeded to London for the purpose noted in the question.

(b) No, Sir. No talks as such were held although discussion concerning arrangements for the trip had taken place.

(c) Does not arise.

(d) The reason is stated in part (a) of the reply.

Issue of Diplomatic Passports

*586. **Shri C. C. Desai:** Will the Minister of **External Affairs** be pleased to state:

(a) the categories of persons to whom diplomatic passports are issued by the Government of India;

(b) whether the issue of diplomatic passports is regulated by rules and regulations or is it purely discretionary with the Minister or the Ministry, and

(c) whether a statement of persons to whom diplomatic passports have been issued but who are not officers of the External Affairs Ministry will be laid on the Table?

The Minister of External Affairs (Shri M. C. Chagla): (a) Diplomatic Passports are issued to:

(i) Officers of the Indian Foreign Service, their wives and dependent children when posted abroad;

(ii) High dignitaries and others having diplomatic status either because of the nature of their foreign mission or because of the position they

hold, e.g., The President, the Vice-President, Chief Justice, Speaker, Ministers of Union Government and Chief Ministers of State Governments, Members of Parliament and senior Government officers when proceeding abroad on parliamentary or governmental business.

(b) The issue of diplomatic passports is regulated by the rules incorporated in the Passports Rules 1967, notified on the 10th May, 1967, (vide Schedule II, Part I, Item III of the Rules).

(c) A statement containing the names of persons not belonging to the Foreign Service to whom diplomatic passports have been issued after the promulgation of the Passports Ordinance 1967 is laid on the Table of the House. [*Placed in Library. See* No LT-706/67].

Sikh Pilgrims to Pakistan

*587. **Shri D. C. Sharma:**
Shri Atam Das:

Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that the Shiromani Gurdwara Prabandhak Committee proposed to send one thousand pilgrims to Dehrasahib Gurdwara at Lahore for Guru Arjun Dev's martyrdom day on the 12th June, 1967;

(b) whether Pakistan has not yet given permission to the Indian Sikh pilgrim jatha to visit Lahore, though an application was made three months ago; and

(c) if so, the reasons therefor and the steps taken to expedite the matter?

The Minister of External Affairs (Shri M. C. Chagla): (a) Yes, Sir.

(b) and (c). Pakistan Government conveyed their permission only on the 6th June, 1967 even though the pilgrims were scheduled to depart for Pakistan on the 9th June, 1967. We have asked the Pakistan High Commission in Delhi to urge their Government to grant permission to Indian pilgrim-jathas, well in advance, in future.

Commercial Broadcast on A.I.R.

*588. **Shri Nambiar:**
Shri C. K. Chakrapani:
Shri Mohammad Ismail:
Shri P. Gopalan:
Shri E. K. Nayanar:
Shri Yajna Datt Sharma:

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether Government have finalised the rates for advertising on radio;

(b) if so, the details thereof;

(c) whether the press reports that the advertisements would go on the air on the 15th August, 1967 are correct;

(d) whether the scheme for introducing Commercials on A.I.R. is ready; and

(e) if so, the details thereof?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) and (b). The rates are being finalised.

(c) Yes, Sir. It is proposed to start commercial broadcasting from 15th August next.

(d) and (e). Details of the scheme are being worked out.

Foreign Minister's talks with Heads of Missions of Arab States

*589. **Shri Parthasarathy:**
Shri B. N. Shastri:
Shri Y. A. Prasad:

Will the Minister of **External Affairs** be pleased to state:

(a) whether he had talks with the Heads of Missions of 10 Arab States on the 31st May, 1967; and

(b) if so, the nature of the talks held at the meeting and the results thereof?

The Deputy Minister in the Ministry of External Affairs (Shri Surendra Pal Singh): (a) Yes, Sir.

(b) The Heads of Arab Missions in New Delhi conveyed their grateful thanks to the Government of India on behalf of their respective Governments for India's support in the West Asian crisis.

Peking Radio Broadcasts About MIZOs

***590. Shri Hem Barua:**
Shri Kameshwar Singh:
Shri A. Sreedharan:
Shri Swell:

Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that the Peking Radio in its broadcast, possibly on the 29th May, 1967, has come out with encouraging words for the Mizo hostiles for their 'revolution' against India; and

(b) if so, Government's reaction to the Chinese interference in our internal affairs?

The Minister of External Affairs (Shri M. C. Chagla): (a) Yes, Sir.

(b) Government are fully aware of the dangerous implications of such interference.

Indo-Pak Talks

***591. Shri Virendrakumar Shah:**
Shri Bedabrata Barua:

Will the Minister of **External Affairs** be pleased to state:

(a) whether Pakistan Government have sent a reply to his letter expressing willingness of India to talk with Pakistan on all matters including Kashmir issue;

(b) if so, the nature thereof; and

(c) the latest prospects of the proposed Indo-Pakistan talks?

The Minister of External Affairs (Shri M. C. Chagla): (a) No, Sir.

(b) and (c). Do not arise.

Posts of Secretaries in the Departments of Defence Production and Defence Supply

***592. Shri Jyotirmoy Basu:**
Shri K. Ramani:

Will the Minister of **Defence** be pleased to state:

(a) whether Government have taken any decision to abolish the posts of secretaries in the departments of Defence Production and Defence Supply, which were created in 1962 in view of the present economy drive; and

(b) if not, the reasons for their continuance?

The Minister of Defence (Shri Swaran Singh): (a) Only the post of Secretary (Defence Supplies) which was created with effect from 24-11-65, is proposed to be abolished with effect from 1-7-67.

(b) Defence Production has been assuming increasing importance since 1962, in view of the urgent need to develop and manufacture modern and efficient weapons and equipment within the country. Government are satisfied that the volume, nature and quality of work in the department justifies the post of a Secretary in the Department of Defence Production.

Indo-Ceylon Agreement of 1964

***593. Shri K. Haldar:**
Shri D. Amat:
Shri D. C. Sharma:

Will the Minister of **External Affairs** be pleased to state:

(a) whether Government of Ceylon have demanded that under International Law, India was obliged to enact legislation to enable it to accept repatriation of 525,000 people from Ceylon as provided in the Indo-Ceylon Agreement of 1964; and

(b) if so, the steps taken in this matter ?

The Minister of External Affairs (Shri M. C. Chagla): (a) No, Sir.

(b) Does not arise.

Boycott of Indian Goods by American Firms

*594. **Shri M. Meghachandra:**
Shri Bhireswar Kalita:
Shri K. Haidar:
Shri Hukam Chand Kachwai:
Shri Ram Singh Ayarwal:
Shri Prakash Vir Shastri:
Shri Ramavatar Shastri:
Shri Y. S. Kushwah:
Dr. Surya Prakash Puri:
Shri Mahant Digvijai Nath:
Shri Shiv Kumar Shastri:
Shri Raghuvir Singh Shastri:
Shri Virendrakumar Shah:
Shri S. K. Tapuriah:
Shri Hem Barua:
Shri Surendranath Dwivedy:
Shri Nath Pai:
Shri Y. A. Prasad:
Shri B. N. Shastri:
Shri Shiva Chandra Jha:

Will the Minister of **External Affairs** be pleased to state :

(a) whether it is a fact that as a reprisal to India's support to U.A.R., in the present Middle East crisis, some U.S., Firms have boycotted Indian goods;

(b) if so, the details thereof; and

(c) Government's reaction thereto?

The Minister of External Affairs (Shri M. C. Chagla): (a) and (b). To our knowledge only two firms, Cohen Dry Goods Co., and its subsidiary, Enterprise Manufacturing Co., both of Philadelphia, who had newly entered the field of Indo-U.S., trade to import some Indian textiles, have cancelled their import orders of some $20,000 from Indian manufacturers.

(c) This unjustified cancellation seems to have been an isolated outburst of emotion. There is no reason why there should be any hostility towards India in the U.S.A., because of our West Asian policies. In any case, trade and economic relations should not be mixed up with politics. We believe this is widely recognised in the U.S.A., and find no indication that this isolated cancellation is setting any pattern.

Reported Entry of Chinese into Nagaland

*595. **Shri B. N. Shastri:** Will the Minister of **External Affairs** be pleased state :

(a) whether it is a fact that some Chinese nationals recently entered into Nagaland through Tirap District of N.E.F.A.;

(b) if so, the steps taken to drive them out;

(c) whether Government are also aware that the Chinese follow the old route over the Patkai range of mountains for entering into India; and

(d) if so, the steps taken for checking the entry of Chinese through this route ?

The Minister of External Affairs (Shri M. C. Chagla): (a) No, Sir.

(b) to (d). Do not arise.

Forcible collection of taxes by Nagas

*596. **Shri D. C. Sharma:**
Shri P. K. Deo:
Shri G C. Naik:
Shri K. P. Singh Deo:
Shri A. Dipa:

Will the Minister of **External Affairs** be pleased to state :

(a) whether it is a fact that the Naga hostiles are going about collecting taxes forcibly from villages not only in Nagaland but also in certain areas bordering Assam, telling the people that they need money to buy arms and ammunition to strengthen their position and are also intimidating the villagers;

(b) whether it is also a fact that Naga rebels have been supplied with explosives to blast trains; and

(c) if so, the security arrangements made in this regard ?

The Minister of External Affairs (Shri M. C. Chagla): (a) The Government of India have received reports, of some cases, alleging extortion by the Underground Nagas from villages in Nagaland and the area adjoining Nagaland-Assam boundry.

(b) Yes, Sir.

(c) Suitable Security measures with in the limit of the resources in men and money available, have been taken to prevent Subversive activities by the Naga Underground.

केनिया तथा अन्य अफ्रीकी देशों से भारतीयों का निष्कासन

597. **श्री कंवर लाल गुप्त :** क्या वैदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि भारतीयों को कीनिया तथा अन्य अफ्रीकी देशों से निकाला जा रहा है ;

(ख) क्या सरकार ने इस बारे मे कोई कार्यवाही की है ; और

(ग) यदि हा, तो इन सरकारो की इस पर क्या प्रतिक्रिया है ?

वैदेशिक-कार्य मंत्रालय में उप-मंत्री (श्री सुरेन्द्र पाल सिंह) : (क) पिछले वर्ष कुल मिलाकर भारतीय मूल के आठ व्यक्ति सुरक्षा के आधार पर कीनिया से वापस भेजे गये थे । इन में से चार भारत भेजे गए और इन में से दो तत्काल यूनाइटेड किंगडम चले गए । कीनिया से किसी और को नहीं निष्कासित किया गया है । तंजानिया और मलावी में इस वर्ष भारतीय मूल के कुछ व्यक्तियों को निषिद्ध आप्रवासी घोषित कर दिया गया और उनसे देश छोड़ कर चले जाने को कहा गया ।

(ख) हमारे हाई कमिश्नरों ने सम्बद्ध सरकारों को यह साफ साफ बता दिया है कि भारतीय मूल के उन व्यक्तियों के प्रस्तावित विपत्तन के सभी मामलों में, जो भारत के नागरिक नही हैं, नीचे लिखी अनिवार्य शर्तें अवश्य पूरी होनी चाहिए :—

(i) सबद्ध व्यक्तियों के पास वैध पासपोर्ट होने चाहिए ;

(ii) उन्हें उनकी मर्जी के खिलाफ हरगिज भारत नहीं भेजा जाना चाहिए और वे यह अवश्य कहे कि वे भारत जाना चाहते हैं ;

(iii) ऐसे सभी मामलों मे भारत सरकार को पहले अवश्य सूचित कर दिया जाना चाहिए और प्रस्तावित कदम उठाने से पहले हमारी सलाह ले ली जानी चाहिए ।

(ग) ऐसे सकेत मिले है कि हमारी आपत्तिया और शर्तें वैध पाई गई हैं और ऊपर बताई गई शर्तों को छोड़ कर भविष्य मे अन्य किसी अवस्था में किसी को भारत वापस जाने का आदेश नही दिया जाएगा । तजानिया सरकार के निष्कासन आदेशों के बारे मे कहा जाता है कि वे देश में अवैध निवास करने और नियमित कार्य-परमिट रखने के आधार पर जारी किए गए थे । इन निष्कासनों के बारे में हमने तंजानिया की सरकार से लिखा पढ़ी की थी और उसने अपने आदेशो पर फिर विचार करने और उचित मामलो मे उन्हें रद्द करने का निर्णय किया है ।

मलावी सरकार ने सुरक्षा के कारण निष्कासन आदेश जारी किए थे ।

Shifting of Vehicle Research and Development Establishment from Ahmednagar to Avadi

*598. **Shri Madhu Limaye:**
Shri S. M. Banerjee:
Dr. Ram Manohar Lohia:
Shri George Fernandes:

Will the Minister of Defence be pleased to state:

(a) the number of persons who are likely to be thrown out of employment as a result of shifting of Vehicle Research and Development Establishment from Ahmednagar to Avadi;

(b) the expenditure involved in shifting it and the loss likely to be sustained in terms of the abandoned buildings; and

(c) the Compensation/alternative jobs which will be given to the workmen rendered unemployed?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) to (c). No employee need be thrown out of employment as a result of the shift of the Vehicles Research and Development Establishment from Ahmednagar to Avadi as there will be no reduction in establishment, Employees who are not liable, in accordance with their terms and conditions of service, to move with the Establishment on the transfer of its location, and are either not offered alternative posts or do not accept offers of alternative posts, will be given terminal benefits as admissible under the relevant Government orders.

The expenditure involved in shifting the installation from Ahmednagar to Avadi has been estimated at Rs. 2.86 lakhs. The buildings vacated at Ahmednagar will be utilised by other Defence Establishments and there will accordingly be no loss on this account.

Caribou Aircraft acquired by IAF

*599. **Shri Indrajit Gupta:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that some or most of the Caribou Aircraft acquired for the IAF from Canada are inoperative for lack of spare parts from Canada; and

(b) if so, the steps taken in the matter?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) Serviceability of these aircraft has been affected to some extent by lack of spares.

(b) Steps have been taken in the matter, and the bulk of the spares required have already been received while the remaining quantity is likely to be received shortly.

Telephone/Radio Communications between Army Chiefs of India and Pakistan

*600. **Shri George Fernandes:**
Shri J. H. Patel:
Shri Rabi Ray:
Shri Madhu Limaye:

Will the Minister of Defence be pleased to state:

(a) the number of times direct telephone/radio communications established between the Chief of Army Staff, India and the Commander-in-Chief, Pakistan Army have been put to use, since these were established; and

(b) whether it has served any useful purpose?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) On 13 occasions.

(b) The arrangement has proved useful particularly in dealing with matters which might lead to misunderstanding or be calculated to cause unnecessary tension or with disputes which have actually caused some tension.

Electric Connections for Civilians in Delhi Cantt. Area

2863. Shri Kanwar Lal Gupta:
Shri R. S. Vidyarthi:

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the civilians residing in Delhi Cantonment get electric connections after a very long time; and

(b) if so, the reasons for the delay and the time by which all the applicants are likely to get electric connections?

The Minister of Defence (Shri Swaran Singh): (a) Yes, Sir. There has been some delay in providing new electric connections.

(b) The transformer feeding the area became over-loaded as a result of new connections. A project for augmenting the transformer capacity from 300 K.W. to 450 K.W. has accordingly been sanctioned and is under execution. It is expected that all the applications pending on date will be cleared by the end of this year.

Manufacture of Transistors

2864. Shri Baburao Patel: Will the Minister of Defence be pleased to state:

(a) the number of Companies which manufacture transistor radios in India and the places where they are located;

(b) the number of sets manufactured by each unit in 1966-67;

(c) the amount of foreign exchange allowed to these manufacturers for importing spare parts during the year 1966-67;

(d) the probable loss incurred by small industries in the manufacture of cheap transistor sets owing to the non-availability of raw material;

(e) the reasons for granting 'Essentiality Certificates' to these manufacturers when raw materials could not be made available;

(f) whether it is a fact that quite a few manufacturers were buying the essential components of transistor sets in the black-market at exorbitant rates to get their units working somehow; and

(g) the steps taken by Government to end this transistor scandal?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) to (c). In the organised sector, 21 manufacturers are engaged in the manufacture of transistor sets as well as valve sets. They manufactured approximately 4.28 lakhs of transistor sets during the calendar year 1966. These units were allocated Rs. 59.22 lakhs in foreign exchange for the year 1966-67 for the production of transistor radios as well as the valve radios made by them. Small Scale Sector Units are also engaged in the manufacture of transistor radios. Information regarding the number of small scale units engaged in the manufacture of transistor radios and the number of such radios produced by them and the foreign exchange allocation made to them for this purpose is not readily available. As these units fall within the jurisdiction of Directors of Industry of the States, the information regarding number of units engaged in the manufacture of transistor radios and the number of such radios produced by them is being collected from the Directors of Industry. Information regarding the foreign exchange released to these unints for the year 1966-67 is being collected from the Chief Controller of Imports and Exports.

(d) to (g). As these questions pertain to the small scale units, information in respect of these questions also is being collected from the Director of Industries of States along with the information regarding the questions (a) to (c) mentioned above.

Yojana Weekly

2865. Shri S. C. Jha: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) how far the weekly Yojna both English and Hindi are dependent on their own earning in the shape of advertisements and sale; and

(b) how far they are dependent on subsidy?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) and (b). The present print order for the English edition of Yojana is 14,050 and that of the Hindi edition 6,300. The total expenditure on the two journals, including cost of production and establishment and the total revenue derived from sales, subscriptions and advertisements during 1966-67 were as follows:

	Total *Expenditure* *Rs.*	Total *Revenue* *Rs.*
English Edition	2,70,866	6,948
Hindi Edition	1,70,984	17,132

Advertisement and sales revenue are steadily increasing but still there is a wide gap between revenue and expenditure. This is mainly due to the fact that a large number of copies are distributed free according to a carefully drawn up schedule, in order to secure the maximum possible awareness of planned economic development, and to stimulate informed discussion thereon, in the rural areas, schools, colleges, universities, etc.

Dutch Government's offer for Hydraulic Research

2866. Shri K. P. Singh Deo: Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that the Dutch Government have offered aid to help hydraulic research in Bihar;

(b) whether it is also a fact that aid for two other projects has also been offered by the Dutch Government;

(c) if so, details thereof; and

(d) whether Government have accepted the offer?

The Minister of External Affairs (Shri M. C. Chagla): (a) to (d). The Government of the Netherlands have offered assistance to India in improving agricultural production in Bihar by increasing the amount of water available for irrigation. It is proposed to earmark a sum of one million Dutch guilders for this purpose which will be utilised in carrying out a survey of sub-soil water in a selected area in Bihar State, by geological and geophysical methods, supplemented by actual drilling of a few wells.

A second project which the Government of the Netherlands propose to undertake will be designed to improve the nutritional value of the common diet of the people by the addition of lysine in order to upgrade the protein content of food. The offer is being examined by the Government of India.

Cordite Factory, Aruvankadu

2867. Shri Nanja Gowder: Will the Minister of **Defence** be pleased to state:

(a) whether the Employees Union, Cordite Factory, Aruvankadu have submitted a memorandum to Government in April, 1967 containing a list of their demands; and

(b) if so, the action taken thereon?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) No, Sir. There is no Union by the name of Employees Union, Cordite Factory, Aruvankadu. There is however a Union known as the Cordite Factory Labour Union. No memorandum has been received from this Union also.

(b) Does not arise.

Atomic Scientists

2868. Shri S. C. Jha: Will the **Prime Minister** be pleased to state:

(a) the number of Atomic Scientists in India;

(b) the number of Atomic Scientists India needs for being completely self-dependent in Atomic Research matters; and

(c) whether any efforts have been made for bringing back all those Indian Atomic Scientists or other Scientists who have settled abroad?

The Prime Minister and Minister of Atomic Energy (Shrimati Indira Gandhi): (a) About 2500 scientists/engineers are on the rolls of the Department of Atomic Energy and its various constituent units. This does not include the scientists employed in the aided institutions under the administrative responsibility of this Department.

(b) It is not possible to estimate precisely the number of atomic scientists and engineers required in order to ensure self-reliance in the field of atomic research. Such self-reliance depends as much on growth and diversification of relevant branches of Indian industry as on the number of scientists and engineers.

(c) Various steps have been taken by the Government of India to enable Indian scientists settled abroad to return. The Department takes suitable action to secure the services of any particular Indian scientist settled abroad, if his services are required in connection with the atomic energy programme.

Regional Passport Office, New Delhi

2869. Shri Narendra Singh Mahida: Will the **Minister of External Affairs** be pleased to state:

(a) whether the conditions of working are not satisfactory in the Regional Passport Office at New Delhi;

(b) whether it is a fact that the facilities for a large number of people who visit the Office each day are most inadequate;

(c) whether it is also a fact that there is considerable delay in the processing of the applications for issue of passports; and

(d) if so, the steps proposed to be taken to streamline the functioning of this office?

The Minister of External Affairs (Shri M. C. Chagla): (a) and (b). Recent measures introduced to liberalise the Passport rules, have resulted in substantial increase in Passport applications and of visitors to the Regional Passport Office. This has caused overcrowding of the present accommodation.

(c) Effort is always made to dispose of all applications promptly but, naturally, there is some delay in cases where applicants have not complied with formalities.

(d) Steps have been taken to strengthen the staff and to shift the office to a bigger accommodation.

Marmagao Harbour

2870. Shri Shinkre: Will the **Minister of Defence** be pleased to state:

(a) whether Government have formulated any scheme, to reserve the present Marmagao Harbour for the sole use of Mercantile Navy and to construct a new one at Baina Coast, near Vasco-da-Gama for the sole use of the Indian Navy;

(b) if so, the details thereof; and

(c) if not, whether Government propose to formulate any such scheme in view of the increasing movement and needs of Mercantile Navy in the Marmagao Harbour?

The Minister of Defence (Shri Swaran Singh): (a) to (c). Proposals for the development of Marmagao Harbour for the joint use of the Indian Navy and the Mercantile Navy are still under consideration.

Hyderabad House

2871. Shri Virendrakumar Shah:
Shri Sheopujan Shastri:
Shri Madhu Limaye:

Will the Minister of **External Affairs** be pleased to state:

(a) whether a party for the visiting Pradesh Congress Committee Presidents and Secretaries was held on the 9th April, 1967 at Hyderabad House;

(b) if so, whether Government have decided to give the Hyderabad House, the Headquarters of External Affairs Ministry, for the use of non-Governmental functions; and

(c) if so, the rent charged by Government for the use of this House for such non-Governmental functions?

The Minister of External Affairs (Shri M. C. Chagla): (a) Yes, Sir.

(b) and (c). The Hyderabad House is not the headquarters of External Affairs Ministry. Only a portion of it houses a Department of that Ministry. The main building is used for Government hospitality and entertainment by all the Ministries and Departments of the Government of India. It is also used for that purpose by the Prime Minister, specially when the number of guests cannot be accommodated in her present residence.

Very occasionally, Hyderabad House has been allowed to be used for private functions by persons connected with Government on payment of rent at the following scale:

(i) Hyderabad House (Banquet Hall, Ball Room, etc.)	Rs. 500/- per day.
(ii) Banquet Hall or Ball Room only.	Rs. 250/- per day.
(iii) Lawns in Hyderabad House only.	Rs. 150/- per day.

Border Roads in Assam

2872. Shri R. Barua: Will the Minister of **Defence** be pleased to state:

(a) whether Government propose to reimburse the expenses incurred by the Government of Assam for the construction of border roads in Assam; and

(b) the break-up of these expenses from 1960 onwards?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) The entire expenditure incurred on the construction or improvement of the roads included in the programme of the Border Roads Development Board is met by the Centre. When the agency is State P.W.D., the expenditure incurred by State Government is reimbursed as "Grant-in-aid"

(b) The amounts reimbursed to Government of Assam from 1960 onwards were as under:

1960-61	Rs. 10,37,484.84
1961-62	Rs. 78,70,000.00
1962-63	Rs. 50,64,759.70
1963-64	Rs. 36,68,615.64
1964-65	Rs. 103,42,350.61
1965-66	Rs. 191,07,000.00

A sum of Rs. 226.61 lakhs was provided in the budget for 1966-67 for expenditure on roads entrusted to State P.W.D. in Assam.

Closure of Film Studios

2873. Shri George Fernandes:
Shri J. H. Patel:
Shri Madhu Limaye:

Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the number of film studios existing in different parts of the country;

(b) the number of studios closed down during the past five years; and

(c) the number of workers rendered unemployed consequent upon the closure of studios?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) to (c). The information is being collected from State Governments etc. and will be laid on the Table of the House in due course.

Planning Commission Members

2874. Shrimati Tarkeshwari Sinha:
Shri K. M. Madhukar:
Shri Ramavatar Shastri:

Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that nearly all the Members of the Planning Commission except one, are no longer in the Planning Commission;

(b) if so, whether Government propose to nominate a new set of Members to Planning Commission; and

(c) if so, the names of the persons proposed to be appointed as Members of the Commission?

The Prime Minister and Minister of Atomic Energy (Shrimati Indira Gandhi): (a) to (c). Prior to the General Elections the composition of the Planning Commission was as follows:

P—Part time
W—Whole time

Prime Minister	Chairman	P
Shri Asoka Mehta, Minister of Planning	Dy. Chairman	W
Shri Y.B. Chavan, Minister of Home Affairs	Member	P
Shri C. Subramaniam Minister of Food, Agriculture, Community Development & Cooperation.	Member	P
Shri Sachindra Chaudhuri, Minister of Finance.	Member	P
Shri T.N. Singh, Minister of Iron & Steel	Member	P
Prof. P.C. Mahalanobis Hon. Statistical Adviser to the Cabinet.	,,	P
Shri Tarlok Singh	,,	W
Prof. M.S. Thacker		W
Prof. V.K.R.V. Rao	,,	W
Shri S.G. Barve	,,	W

The Administrative Reforms Commission which is examining a wide field of administration submitted an interim Report on 29th April, 1967 on the subject of the reorganisation of the Planning Commission. As the matter regarding the composition of the Planning Commission was on the anvil it was not thought appropriate to make fresh appointments to the Planning Commission pending consideration of the proposals for its reorganisation. Therefore, it is correct that at present there is only one full-time Member, Prof. M. S. Thacker, another full-time Member Shri Tarlok Singh, has proceeded on long leave and Prof. P. C. Mahalanobis continues in his earlier capacity.

2. A decision will be taken shortly on the recommendations of the Administrative Reforms Commission, and the appointments of the Members will be made thereafter.

हथियारों की सप्लाई के लिए सऊदी अरब से पाकिस्तान की प्रार्थना

2875. श्री हुकम चन्द कछवाय :
श्री राम सिंह अयरवाल :
श्री यशवन्त सिंह कुशवाह :

क्या वैदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पाकिस्तान ने हथियारों की सप्लाई के लिये सऊदी अरब

से प्रार्थना की थी तथा उसकी प्रार्थना स्वीकार कर ली गई है ;

(ख) क्या यह भी सच है कि पाकिस्तान ने विश्व बाजार से बड़े पैमाने पर हथियार खरीदने के लिए सऊदी अरब से ऋण मांगा है; और

(ग) यदि हां तो इसके बारे में सरकार की क्या प्रतिक्रिया है ?

वैदेशिक-कार्य मंत्री (श्री मु० क० चागला) : (क) सरकार के पास कोई सूचना नहीं है ।

(ख) सरकार ने समय-समय पर अखबारों में ऐसी खबरें देखी हैं कि सऊदी अरब ने सैनिक उपकरण खरीदने के लिए पाकिस्तान को ऋण दिया है । सऊदी अरब की सरकार ने इन खबरों से इनकार किया है ।

(ग) सरकार ने यह स्पष्ट कर दिया है कि भारत इस तरह की हथियारों की सहायता को अमित्रतापूर्ण कार्य समझेगा और यह कि इस तरह की सहायता से उप-महाद्वीप में शान्ति में बाधा पड़ेगी और इससे ताशकन्द घोषणा के अमल में कठिनाई उत्पन्न होगी ।

C.I.A. Activities

2876. Shri A. K. Gopalan:
Shri K. Ramani:
Shrimati Suseela Gopalan:

Will the Minister of External Affairs be pleased to state:

(a) whether India has supported the move for the inclusion of a separate para to mention the activities of the American Central Intelligence Agency, particularly its infiltrations into non-Governmental organisations in a report of the Economic and Social Council of United Nations (ECOSOC); and

(b) if so, the reasons therefor?

The Minister of External Affairs (Shri M. C. Chagla): (a) and (b). During the meeting of the Committee on Non-Governmental Organisations of the Economic and Social Council, some delegations pointed out that a number of non-Governmental organisations received financial support from the American Central Intelligence Agency and that this was incompatible with their consultative status with the Economic and Social Council. There was a procedural motion to include this view in the report of the Committee on Non-Governmental Organisations and India supported the motion.

बैसाखी के त्यौहार पर सिख तीर्थ यात्रियों की पंजा साहब की यात्रा

2877. **श्री भारत सिंह चौहान :**
श्री हुकम चन्द कछवाय :
श्री राम सिंह अयरवाल :

क्या वैदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि बैसाखी के अवसर पर एक हजार सिख तीर्थ यात्री पंजा साहब गये थे ;

(ख) क्या यह भी सच है कि हुसैनीवाला क्षेत्र में उनका भव्य स्वागत किया गया था ; और

(ग) कितने व्यक्तियों को पासपोर्ट दिये गये थे तथा उन में से कितने व्यक्तियों को पासपोर्ट नहीं दिये गये थे ?

वैदेशिक-कार्य मंत्री (श्री मु० क० चागला) : (क) बैसाखी के अवसर पर भारत के विभिन्न भागों से कोई 1350 सिख यात्री पंजा साहब की यात्रा के लिए गए ।

(ख) सरकार को इस बात की कोई जानकारी नहीं है कि हुसैनीवाला क्षेत्र में उनका ऐसा स्वागत किया गया था ।

(ग) इस अवसर पर 1224 व्यक्तियों को पाकिस्तान जाने के लिए पासपोर्ट जारी किए गए। 83 व्यक्तियों को पासपोर्ट देने से इनकार कर दिया गया।

Goodwill Mission from Pakistan

2878. Dr. Ranen Sen:
Shri K. P. Singh Deo:
Shri P. K. Deo:
Shri Dhirendranath:
Shri Prakash Vir Shastri:
Shri Ramavtar Sharma:
Shri Hukam Chand Kachwai:
Shri Atam Das:

Will the Minister of **External Affairs** be pleased to state:

(a) whether the Government of India are aware that Secretary-General of National Awami Party of Pakistan has suggested that a goodwill mission from Pakistan is willing to visit India to create understanding between India and Pakistan; and

(b) if so, the Government of India's reaction thereto?

The Minister of External Affairs (Shri M. C. Chagla): (a) and (b). The Government have seen press reports about a suggestion by Chaudhry Khaliquzzaman, a veteran opposition leader of Pakistan to send a non-official delegation from Pakistan to India with a view to create understanding between the two countries. This suggestion was immediately ridiculed and rejected by the Pakistani leaders and newspapers. Even the Pakistan Government have stated that they have no idea of any such proposal and have no sympathy for it.

(b) The Government of India have all along shown keenness to normalise and improve the relations between India and Pakistan and would welcome any opportunities for contacts of this kind.

Production in Ordnance Factories

2879. Shri S. M. Banerjee:
Shri Madhu Limaye:

Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the production in Ordnance Factories has gone up;

(b) if so, to what extent;

(c) how it compares with the figures of 1964 and 1965; and

(d) the further steps taken to augment production?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) to (c) Although there has been a reduction in the workload for clothing items, the production in respect of arms and ammunition and vehicles (including Heavy Vehicles) has increased. The value of issues for the latter class of items during the years 1963-64 to 1966-67 is as follows:

Year	Value of issues (Rs. in Crores)
1963-64	63.10
1964-65	63.75
1965-66	78.06
1966-67 (estimated)	86.00

(d) The following steps have been taken to increase the production in Ordnance Factories:—

(i) Four new factories are in the process of being established; and

(ii) old equipment in the existing factories is being rehabilitated and modernised consistent with the availability of resources.

Fire in Hindustan Aeronautics Ltd., Kanpur

2880. Shri S. M. Banerjee:
Shri Madhu Limaye:

Will the Minister of Defence be pleased to state:

(a) whether a fire broke out in the Hindustan Aeronautics Ltd., Kanpur in the month of April, 1967;

(b) if so, the causes thereof;

(c) whether any enquiry has been conducted; and

(d) if so, the result of the enquiry?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) Yes, Sir.

(b) to (d). The fire broke out in the salvage yard. An enquiry was conducted. The findings of the enquiry were:

(i) in all probability, a cigarette butt thrown carelessly caused the fire due to the presence of dry grass and scrap wood; and

(ii) the loss was negligible.

New Radio Stations in Orissa

2881. Shri Sradhakar Supakar:
Shri N. R. Laskar:

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the relaying stations of Sambalpur and Jeypore in Orissa are proposed to be converted into independent broadcasting stations of the Akashvani; and

(b) if so, from what date?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) Yes, Sir.

(b) They are proposed to be partial programme originating centres in the 4th Plan and fully independent stations in the 5th Plan.

Complaints against Officials of Indian Missions Abroad

2882. Shri Sidheshwar Prasad: Will the Minister of External Affairs be pleased to state:

(a) the number of complaints received from the Indian citizens abroad against the misbehaviour of officials of our Embassies during 1966;

(b) the comparative position of these complaints in 1965; and

(c) the steps being taken to ensure that the officials of our Embassies not only behave nicely with the Indians abroad but also help them in providing better facilities?

The Minister of External Affairs (Shri M. C. Chagla): (a) One.

(b) Two.

(c) There are detailed instructions about facilities to be made available to Indians abroad. Every effort is made to ensure courteous assistance by Missions, without involving public expenditure, except to the minimum extent envisaged in the instructions.

"स्टेट्समैन" का सैनिक संवाददाता

2883. श्री सिद्धेश्वर प्रसाद :
श्री प० गोपालन :
श्री उमानाथ :
श्रीमती सुशीला गोपालन :
श्री रामानी :

क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) किन कारणों तथा किन परिस्थितियों में भूतपूर्व सेनाध्यक्ष जनरल जे० एन० चौधरी को एक सैनिक संवाददाता के रूप में 'स्टेट्समैन' में अपने लेख देने की अनुमति दी गई थी ;

(ख) उन सैनिक अधिकारियों के नाम क्या हैं जिन्हें यह अनुमति दी गई थी; और

(ग) क्या सरकार का विचार तत्सम्बन्धी नियमों में कोई संशोधन करने का है ?

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) : (क) जहां तक मामले की छानबीन करना सम्भव हो पाया है, जनरल जे० एन० चौधरी को एक सैनिक संवाददाता के रूप में "स्टेट्समैन" में अपने लेख देने की अनुमति निम्नलिखित पहलुओं को ध्यान में रखते हुए दी गई थी :—

(1) थल सेना से सम्बन्धित मौलिक बातों के सम्बन्ध में जनता को सूचित किए रहने की आवश्यकता—

(2) लेख केवल शिक्षाप्रद और सूचनाप्रद होंगे ;

(3) लेखों में सरकारी नीति की आलोचना न होगी ; और

(4) लेखों में उनका नाम नहीं होगा।

(ख) मेजर जनरल सोमदत्त ही एक अफसर हैं जिन्हें एक सैनिक संवाददाता के रूप में समाचारपत्र में लेख देने की अनुमति दी गई थी ।

(ग) इस विचार से सेवा कर रहे अफसरों के लिए वर्तमान नियमों को पर्याप्त समझा गया है और नियमों में परिवर्तन करने के लिए कोई प्रस्ताव विचाराधीन नहीं है ।

माउन्टेन डिवीजन

2884. श्री सिद्धेश्वर प्रसाद : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) सेना में माउन्टेन डिवीजनों की संख्या तथा प्रत्येक में सैनिकों की संख्या बढ़ाने के लिए 1966–67 में क्या कार्यवाही की गई है ; और

(ख) पहाड़ी क्षेत्रों के लिये उपयुक्त हथियारों के मामले में किस सीमा तक आत्मनिर्भरता प्राप्त हुई है ?

प्रतिरक्षा मंत्रालय में राज्य-मंत्री (श्री ब० रा० भगत) : (क) और (ख). यद्यपि थल सेना की युनिटों और विरचनाओं में उनकी क्षमता को बढ़ाने के लिए कुछ आन्तरिक पुनर्गठन किया गया है और उन्हें सुप्रवाह रूप दिया गया है, फिर भी थल सेना की संख्यात्मक शक्ति में कोई वृद्धि नहीं हुई है । देश में बनाये जाने वाले हथियारों को अधिकाधिक रूप से इस्तेमाल किया जाता है और इस सम्बन्ध में इस प्रकार के हथियारों का अनुपात उत्तरोत्तर बढ़ता जा रहा है । इस बारे में और अधिक विवरण देना जनहित में नहीं होगा ।

I.A.F. Plane Accident near Agra

2885. **Shri Hukam Chand Kachwai:**
Shri Jagannath Rao Joshi:

Will the Minister of Defence be pleased to refer to the reply given to Unstarred Question No. 47 on the 27th March, 1967 and state:

(a) whether an inquiry into the Air Force trainer aircraft accident near Agra has since been completed;

(b) if so, the details thereof; and

(c) if not, when it is likely to be completed?

The Minister of Defence (Shri Swaran Singh): (a) Yes, Sir.

(b) According to the findings of the Court of Inquiry the accident occurred due to the mal-function of the normal under-carriage system. The exact cause of the mal-function could not be determined as the aircraft was completely destroyed. The loss on account of damage to the Service property amounted to Rs. 13.50 lakhs which will be written off. The extent of damage to the standing crops assessed by the Court of Inquiry amounted to Rs. 350 which will be paid to the persons concerned after

due verification by the local Civil authorities in accordance with the rules. The Court of Inquiry has not held anoyne directly or indirectly responsible for the accident.

(c) Does not arise.

पुनर्वास निदेशालय

2886. श्री हुकम चन्द कछवाय :
श्री राम सिंह अयरवाल :

क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि पुनर्वास निदेशालय को भूतपूर्व सैनिकों को रोजगार देने की शक्तियां नहीं दी गई हैं ; और

(ख) यदि हां, तो उसके क्या कारण हैं ?

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह) : (क) जी हां । यह निदेशालय असैनिक नौकरी ढूंढने वाले सेना के भूतपूर्व अफसरों और सम्भाव्य नियोक्ताओं के बीच एक सम्पर्क कार्यालय के रूप में काम करता है, और सुरक्षित तथा गैर-सुरक्षित रिक्त स्थानों में उन्हें नौकरी दिलाने के सम्बन्ध में सेना के भूतपूर्व सैनिकों और अफसरों के अधिकारों और हितों की देख रेख करता है ।

(ख) पुनर्वासन निदेशालय किसी भी अन्य विभाग के नीचे किसी भी पद के लिए नियुक्ति-अधिकारी नहीं है । सम्बन्धित नियमों में उल्लिखित नियुक्ति अधिकारी (सम्बन्धित मंत्रालयों में सरकार सहित) द्वारा ही नियुक्ति-प्रस्ताव भेजे जाते हैं ।

वायुसेना मुख्यालयों में असैनिक कर्मचारी

2887. श्री हुकम चन्द कछवाय :
श्री जगन्नाथ राव जोशी :
श्री राम सिंह अयरवाल :

क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) वायु सेना मुख्यालय में इस समय सैनिक कर्मचारियों के स्थान पर कितने असैनिक कर्मचारी काम करते हैं ; और

(ख) उनकी पदोन्नति किस प्रकार की जाती है तथा उसमें कितना समय लगता है ?

प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री (श्री ब० रा० भगत): (क) और (ख). इस समय वायु सेना हेड क्वार्टर में 61 असैनिक वायु सैनकों के रिक्त स्थानों पर नियुक्त हैं । उच्चतर ग्रेड में उनकी पदोन्नति इस शर्त पर प्रवरता के आधार पर की जाती है कि सम्बन्धित व्यक्ति पदोन्नति के लिए योग्य हो और उसके लिए रिक्त स्थान उपलब्ध हो, वर्तमान स्थिति इस प्रकार है कि निचले ग्रेड में लगभग 18 वर्ष की प्रवरता वाले व्यक्ति उच्चतर ग्रेड में पदोन्नत होने के योग्य बने हुए है लेकिन यह समयावधि बदल सकती है । पिछली बार यह लगभग 7 से 20 वर्ष तक विभिन्न समयावधि में थी ।

Military Personnel in Andaman and Nicobar Islands

2888. **Shri M. R. Krishna:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the Naval and other militarised personnel serving in the Andaman and Nicobar Islands are not eligible for the Andaman Allowance which is permissible to other Central Government employees; and

(b) if so, the reasons therefor?

The Minister of Defence (Shri Swaran Singh): (a) and (b). Taking into account the Andaman pay which is admissible to Central civilian Government servants in the Andaman and Nicobar Group of Islands, Naval Officers and sailors of the Resident Naval Officer's Organisation at Port Blair as well as Army officers and personnel of the Chief Engineer Port Blair Organisation, who are on a static

role, have been granted an Andaman allowance at the following rates:

Commissioned Officers:

(i) Single officers and married officers unaccompanied by families.	10% of pay subject to a maximum of Rs. 100/- p.m.
(ii) Married officers accompanied by families	15% of pay subject to a maximum of Rs. 175/- p.m.

Personnel Below Officer Rank:

(i) JCOs and Chief Petty officers.	Rs. 25 - p.m.
(ii) Havildars/Dafadars and Petty officers.	Rs. 20 - p.m.
(iii) Others	Rs. 15/- p.m.

2. The other Service officers and personnel in the Andaman and Nicobar group of Islands are on a semi-operational role and their living and working conditions are similar to those in forward areas in the mainland in India in which field service concessions are admissible. Accordingly, these officers and personnel have been sanctioned concessions on the same pattern which include free rations for officers and a special compensatory allowance ranging from Rs. 6 to Rs. 20 p.m. for personnel below officer rank. In addition to these concessions married officers who are not permitted to take their families with them are given a separation allowance of Rs. 50 p.m.

U. S. Military aid to Pakistan

2889. Shri Madhu Limaye:
Shri S. M. Banerjee:
Shri George Fernandes:
Dr. Ram Manohar Lohia:

Will the Minister of Defence be pleased to state:

(a) the total value of the military assistance received by Pakistan under the Arms Aid Pact with the United States till the end of 1965;

(b) the type of military assistance received; and

(c) the type and value of the military assistance received by India from the same source?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) and (b). Pakistan is estimated to have received military aid worth $1500 to 1700 million by September 1965, comprising mainly weapons of offensive capability like Patton and Chaffee tanks, F-86 and F-104 aircraft (some equipped with missiles), modern artillery and Napalm bombs etc. as also cash assistance for raising and maintaining large number of troops.

(c) India received military assistance from U.S.A. only after the Chinese aggression and upto September 1965 The value of such assistance is estimated at $76 million. The assistance comprised of requirements for the mountain units of the Army transport aircraft, spares, communication facilities, and earth moving equipment and some machinery.

Atomic Energy

2890. Shri Ram Kishan Gupta: Will the **Prime Minister** be pleased to state:

(a) whether the programme for the Development of Atomic Energy for peaceful purposes during the Fourth Five Year Plan has been finalised; and

(b) if so, the details thereof?

The Prime Minister and Minister of Atomic Energy (Shrimati Indira Gandhi): (a) and (b). A statement giving the broad outline of the programme for the development of atomic energy for peaceful purposes during the period of the Fourth Five Year Plan is Placed on the Table of the House. [*Placed in Library. See* No. LT-707/67].

Indian Foreign Service

2891. Shri S. R. Damani: Will the Minister of **External Affairs** be pleased to state:

(a) the present strength of the Indian Foreign Service; and

(b) the number of persons working in India and abroad?

The Minister of External Affairs (Shri M. C. Chagla): (a) 278 in IFS (Branch A)

2278 in IFS (Branch B)

49 in Information Service of India.

(b)	72	in India	for IFS (Branch A)
	196	abroad	
	10	on leave and/or in transit.	
	1149	in India	for IFS (Branch B)
	1129	abroad	
	8	in India	For Information Service of India.
	41	abroad	

Passport of Tariq Abdullah

2892. Shri Bal Raj Madhok:
Shri Hardayal Devgun:

Will the Minister of External Affairs be pleased to state:

(a) whether the Indian passport of Tariq Abdullah son of Sheikh Abdullah has been impounded after he represented Pakistan in the U. N. Security Council last year while holding an Indian passport;

(b) whether Government are thinking to call him back and launch a case against him for defying the country and helping the enemy in the world bodies while having an Indian passport; and

(c) whether Tariq Abdullah is still on the staff of Indian High Commission in London?

The Minister of External Affairs (Shri M. C. Chagla): (a) Shri Tariq Abdullah's Indian passport stands cancelled from 16th October, 1965 and instructions have been issued to impound it on presentation. The passport has not yet been surrendered although a notice was served on him to do so.

(b) The question of any action being taken against him will arise when he returns to India.

(c) No, Sir. His services were terminated in March, 1965.

Gun and Shell Factory, Cossipore

2893. Shri Deven Sen: Will the Minister of Defence be pleased to state:

(a) whether it is a fact that 32 trade apprentices at the Gun and Shell Factory, Cossipore, West Bengal have been refused absorption even after the completion of the three years course of training by them in the factory;

(b) whether it is also a fact that it is the first time when apprentices who have passed have been refused absorption;

(c) if so, the reasons therefor; and

(d) whether Government propose to absorb them either in Cossipore or in any other ordnance factory in India?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) and (c). These trade apprentices were recruited and trained under the provisions of the Apprentices Act, 1961 to fulfil the statutory obligation in this regard and not with reference to specific requirements of the factories. On completion of the period of apprenticeship training the trainees can only be absorbed against existing vacancies.

It is a fact that 32 trade apprentices of the last batch at the Gun and Shell Factory, Cossipore could not be absorbed after their training, and that this is the first time that this has happened.

(b) Yes, Sir.

(d) There is at present no requirement at the factory at Cossipore or at any other Ordnance Factory.

Germ and Chemical Warfare

2894. Shri Baburao Patel: Will the Minister of Defence be pleased to state:

(a) whether Government are aware of the fact that many nations are already manufacturing weapons for germ and chemical warfare which are easier to use and which, according to Britain's Minister for Disarmament, even smaller and poorer countries can afford to make,

(b) whether Government also propose to manufacture them, and

(c) if not, the reasons therefor?

The Minister of Defence (Shri Swaran Singh): (a) to (c). Government are aware of the possibilities of manufacture of weapons for bacteriological and chemical warfare. Even though some nations may be manufacturing such weapons, it is not the policy of the Government of India to do so. Government are signatories to the Geneva Protocol which prohibits the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare.

Film Institute

2895. Shri Chintamani Panigrahi: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether any student from Orissa have been selected for training at the Film Institute of India, Poona;

(b) if so, the number thereof;

(c) whether the Orissa Government have made provision for any scholarships; and

(d) if so, the number thereof?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) Yes, Sir.

(b) Six, so far.

(c) Yes, Sir.

(d) Two.

Production of Ilmenite

2896. Shri Virendrakumar Shah: Will the **Prime Minister** be pleased to state:

(a) whether production of Ilmenite has fallen from 3,41,000 tonnes in 1956 to 30,000 tonnes in 1965; and

(b) the reaction of Government to the charge of the industry that the fall in production is due to the incorrect mineral policy of Government?

The Prime Minister and Minister of Atomic Energy (Shrimati Indira Gandhi): (a) Yes, Sir.

(b) The steep fall in the production of Ilmenite was due to a variety of reasons: (1) Competition in the external market from countries which had located cheaper sources of ilmenite; (2) the adaptation of the plants of Titanium Dioxide by foreign manufacturers to the grade of ilmenite available from these countries, which is different from Indian ilmenite, (3) difficulties encountered in the modernisation of the Indian plants. All these factors placed the Indian ilmenite industry at a disadvantage. Despite these difficulties, energetic steps have been taken to revive the export market for ilmenite and to reorganise the industry, with the required degree of mechanisation, on modern and efficient lines. It is hoped that this would enable Indian industry to compete successfully in the world market in the near future.

अणु जनित्र (जनरेटर)

2897. **श्री महाराज सिंह भारती :** क्या प्रधान मंत्री यह बताने की कृपा करेंगी कि :

(क) चौथी पंचवर्षीय योजना में अणु जनित्रों से कितनी किलोवाट बिजली पैदा करने की क्षमता हो जायेगी तथा उसकी अनुमानित उत्पादन लागत क्या होगी ;

(ख) डिजायन तैयार करने से संयंत्र की स्थापना तक के सभी क्षेत्रों में तथा ईंधन के उत्पादन में आत्मनिर्भरता प्राप्त करने में कितना समय लग जाने की सभावना है ; और

(ग) यदि आत्मनिर्भरता के लक्ष्य निर्धारित किये गये हैं तो प्रति-वर्ष केवल देश के ससाधनों से चलने वाले कितने बिजलीघर स्थापित किये जायेंगे तथा प्रत्येक की क्या क्षमता होगी ?

प्रधान मंत्री तथा अणु शक्ति मंत्री (श्रीमती इन्दिरा गांधी) : (क) चौथी पंचवर्षीय योजना के अन्त तक प्रस्तावित न्यूक्लीय बिजलीघरों से 580,000 किलोवाट बिजली उपलब्ध होगी। 3,80000 किलोवाट की क्षमता वाले तारापुर परमाणु बिजलीघर में उत्पादित बिजली की अनुमानित लागत 4 50 पैसे प्रति किलोवाट घटा तथा राजस्थान परमाणु बिजलीघर में उत्पादित बिजली की कीमत 5 08 पैसे प्रति किलोवाट घंटा होगी।

(ख) तथा (ग). तारापुर परमाणु विद्युत प्रायोजना पर होने वाले खर्च में 60 प्रतिशत विदेशी मुद्रा थी। मद्रास परमाणु विद्युत प्रायोजना में इसे घटा कर केवल 20 प्रतिशत कर दिया गया है। अधिक आत्मनिर्भरता औद्योगिक क्षेत्र के विकास पर निर्भर करती है। आशा है कि मद्रास परमाणु बिजली घर के बाद जो बिजलीघर बनेंगे, उनसे आत्मनिर्भरता में की गई प्रगति का पता चलेगा।

आयुध कारखाना, मेरठ

2898. **श्री महाराज सिंह भारती** : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि उत्तर प्रदेश मेरठ स्थित आयुध कारखाने के क्षेत्र में हजारों एकड़ भूमि बेकार पड़ी है और इस भूमि का एक बड़ा भाग खेती के लिए किसानों को दिया जाता है ;

(ख) क्या इस कारखाने के विस्तार तथा इस भूमि में कुछ नये आयुध कारखाने स्थापित करने की किसी योजना पर विचार किया जा रहा है और यदि हां, तो उसका ब्यौरा क्या है ;

(ग) क्या इस आयुध कारखाने में असैनिक उपयोग की भी कोई वस्तुएं बनाई जाती हैं ; और

(घ) यदि हां, तो उनका ब्यौरा क्या है तथा आयुध कारखाने में जो उत्पादन होता है वह कितने मूल्य का होता है तथा उसमें असैनिक वस्तुयें कितने प्रतिशत मूल्य की होती है ?

प्रतिरक्षा मंत्रालय में राज्य-मंत्री (श्री ब० रा० भगत) : (क) मेरठ में कोई आयुध कारखाना नहीं है। शायद मुरादनगर के आयुध कारखाने से अभिप्राय हो, कारखाने के इलाके में कुल 641 एकड़ भूमि में से 133 एकड भूमि को खेती के लिए पट्टे पर दिया गया है ?

(ख) जी, नहीं।

(ग) इस समय ऐसी कोई व्यवस्था नहीं है क्योंकि कारखाने के पास कोई फालतू उत्पादन क्षमता नहीं है।

(घ) प्रश्न नहीं उठता।

फारमोसा के साथ सम्बन्ध

2899. **श्री महाराज सिंह भारती** : क्या वैदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) सरकार ने हमारे हितों की रक्षा करने की दृष्टि से फारमोसा (ताइवान) के साथ संबंध बनाये रखने तथा उनके साथ

सम्पर्क रखने के लिये क्या उपाय किये हैं ;

(ख) क्या भारत और ताइवान के बीच कोई करार (सास्कृतिक, व्यापारिक, राजनयिक आदि) किया गया है ;

(ग) यदि हां, तो उसका ब्यौरा क्या है ;

(घ) क्या ताइवान सरकार ने भारत की विकास योजनाओं में कोई रुचि दिखाई है ; और

(ङ) यदि हा, तो इस सबध मे सरकार की क्या प्रतिक्रिया है ?

वैदेशिक-कार्य मंत्री (श्री म० क० छागला) : (क) भारत सरकार का फारमोसा के साथ कोई संबध नही है।

(ख) जी, नही।

(ग) प्रश्न नही उठता।

(घ) जी, नही।

(ङ) प्रश्न नही उठता।

Strikes and Demonstrations by the I.A.F. Airmen

2900. Dr. Ram Manohar Lohia:
Shri Rabi Ray:

Will the Minister of **Defence** be pleased to state:

(a) the number of times the Airmen of Indian Air Force who resorted to hunger strike or protest demonstrations since independence;

(b) the nature, causes and the outcome of these protests; and

(c) the action taken by Government in this regard?

The Minister of Defence (Shri Swaran Singh): (a) Five.

(b) The incidents were the result of certain grievances of the airmen concerned. Two incidents were in the form of violent demonstrations, while in three, the airmen stayed away from the mess. All the incidents in question were investigated and legitimate grievances were looked into.

(c) Suitable disciplinary/administrative action was taken against the persons who were held to be blamed.

Rhodesia

2901. Shri Hem Barua:
Shri Surendranath Dwivedy:
Shri Nath Pai:

Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that the Prime Minister has received a communication from the U.K. Prime Minister containing his latest proposals towards the solution of the Rhodesian problem; and

(b) if so, what are these proposals and Government's reaction thereto?

The Minister of External Affairs (Shri M. C. Chagla): (a) No, Sir.

(b) Does not arise.

Indian Statistical Institute

2902. Shri S. M. Banerjee: Will the **Prime Minister** be pleased to state:

(a) whether any serious irregularities and cases of misappropriation of public funds in the Indian Statistical Institute, Calcutta, have come to notice of Government;

(b) if so, whether any investigation has been made in this regard; and

(c) if not, the reasons therefor?

The Prime Minister and Minister of Atomic Energy (Shrimati Indira Gandhi): (a) The Indian Statistical Institute Review Committee, whose Report has been laid on the Table of the House, has pointed out some financial irregularities in the Institute. In addition, one case of alleged fraudulent drawal of a sum of Rs. 17,000 in the Institute, has come to the notice of Government.

(b) Action on the Report of the Indian Statistical Institute Review Committee is being taken in consultation with the Institute. The case referred to above is being looked into by the Institute.

(c) Does not arise.

भारत में अफ्रीकी विद्यार्थी

2903. **श्री ओ० प्र० त्यागी :** क्या वैदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि अधिकांश अफ्रीकी विद्यार्थी, जो विशेष अध्ययन करने के लिये भारत आते हैं, यहां से अपने साथ भारत विरोधी भावनायें लेकर जाते हैं ;

(ख) यदि हां, तो क्या सरकार ने इसके कारणों का पता लगाने तथा इस स्थिति को सुधारने के लिये कोई प्रयत्न किये हैं ; और

(ग) यदि हां, तो किस प्रकार से ?

वैदेशिक-कार्य मंत्री (श्री मु० क० चागला) : (क) यह कहना ठीक नहीं है कि भारत में अध्ययन के लिए आने वाले ज्यादातर अफ्रीकी विद्यार्थी वापसी पर भारत-विरोधी भावनाएं लेकर जाते है ; यह कहना ज्यादा ठीक होगा कि भारत द्वारा उन्हें दी जाने वाली शैक्षिक सुविधाओं की अधिक सराहना की जाती है।

(ख) और (ग). लेकिन थोड़े से अफ्रीकी विद्यार्थियों के सामने कुछ कठिनाइयां पेश आती हैं, जिनका मुख्य कारण है : (1) विभिन्न प्रकार की परम्पराओं के कारण सामाजिक संपर्क का अभाव और (2) वे जिस तरह के रहन-सहन की आशा करते हैं, उसकी व्यवस्था में कमी। भारत सरकार ने इनकी देखभाल के लिए विदेशी विद्यार्थी सलाहकारों को नियुक्त करके और उनके लिए अच्छे रहन-सहन की व्यवस्था, छात्रवृत्ति की अधिक रकम की अदायगी, और इंडियन काउंसिल फार कल्चरल रिलेशंस, इंडियन काउंसिल फार अफ्रीका, वाई० एम० सी० ए० और वाई० डब्ल्यू० सी० ए० जैसी संस्थाओं के जरिये सांस्कृतिक कार्यकलापों के विस्तृत कार्यक्रम के द्वारा इन कठिनाइयों को दूर करने की दृष्टि से समुचित कदम उठाए हैं।

Border Roads

2904. **Shri Dhaleshwar Meena:**
Shri Ramachandra Ulaka:
Shri Heerji Bhai:
Shri K. Pradhani:

Will the Minister of Defence be pleased to state the amount set apart for the development of border roads in the eastern and other borders of the country during the current year?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): The provision made in the budget estimates (1967-68) for the development of border roads in the eastern sector (Sikkim, Bhutan, West Bengal, Assam and NEFA areas) and other borders is as follows:—

	Total amount included in the budget estimates.	Amount set apart for border roads in the eastern sector.	Amount for other border roads including border roads in Rajasthan, Gujarat and J. & K.
		(Rs. in lakhs)	
Capital Demands.	4,894·96	2,116·29	2,778·67

Aid to Nepal, Bhutan and Sikkim

2905. Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:
Shri Heerji Bhai:
Shri K. Pradhani.

Will the Minister of External Affairs be pleased to state:

(a) the amount earmarked for giving aid to Nepal, Bhutan and Sikkim for their development works during 1967-68 and

(b) the particulars of the works to be executed?

The Minister of External Affairs (Shri M. C. Chagla): (a) Nepal: Rs. 7,94,06,000; Bhutan: Rs. 3,44 00,000, Sikkim: Rs. 1,75,00,000.

(b) The development works to be executed in Nepal, Bhutan and Sikkim fall broadly under the folowing heads:—

(i) Agriculture.
(ii) Communications.
(iii) Irrigation and Power.
(iv) Water Supply Schemes
(v) Education.
(vi) Horticulture
(vii) Forestry
(viii) Health; and
(ix) Machinery and equipment.

Naval Base at Marmagao

2906. Shri Dhuleshwar Meena:
Shri Ramachandra Ulaka:
Shri Heerji Bhai:
Shri K. Pradhani:

Will the Minister of Defence be pleased to state:

(a) the stage at which the proposal to set up a Naval Base at Marmagao stands at present;

(b) whether any final decision has since been taken in this regard; and

(c) if so, the result thereof?

The Minister of Defence (Shri Swaran Singh): (a) and (b). The proposal is still under the consideration of the Government.

(c) Does not arise.

Chinese Intrusions into Sikkim and Bhutan

2907. Shri Ramachandra Ulaka:
Shri Dhuleshwar Meena:
Shri Heerji Bhai:
Shri K. Pradhani:

Will the Minister of Defence be pleased to state:

(a) whether China has perpetrated numerous military intrusions into Sikkim and Bhutan during the last two months; and

(b) if so, the details thereof?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) No, Sir.

(b) Does not arise

Theft of valuable Articles from Monastries in Himachal Pradesh

2908. Shri K. P. Singh Deo:
Shri D. N. Patodia:
Shri S. K. Tapuriah:
Shri P. K. Deo:

Will the Minister of External Affairs be pleased to state:

(a) whether it is a fact that some rare articles of historical value have been stolen from Ghantapa Gomta monastery and other monasteries in Himachal Pradesh;

(b) whether it is also a fact that the Himachal Pradesh Government have taken up the matter with the Ministry of External Affairs for the recovery of the lost articles;

(c) if so, the details of the lost articles; and

(d) the action taken by Government to recover the articles?

The Minister of External Affairs (Shri M. C. Chagla): (a) to (d). This matter is under active investigation and the facts of the case will be placed before the House on its completion.

रद्दी कागज के दाम

2909. **श्री जगन्नाथ राव जोशी** : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि राजधानी में गत पाच महीने मे रद्दी कागज के दाम तो आधे हो गये है किन्तु अन्य सभी वस्तुओ के दाम बढ़ गये है ; और

(ख) यदि हा, तो इसके क्या कारण है ?

सूचना और प्रसारण मंत्री (श्री के० के० शाह) : (क) जी, नही।

(ख) सवाल नही उठता।

संस्कृत के समाचार-पत्र

2910. **श्री जगन्नाथ राव जोशी** : क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) देश में संस्कृत में कितने समाचार-पत्र तथा पत्रिकायें प्रकाशित होती हैं, और

(ख) उनमे से कितने समाचार-पत्रो तथ पत्रिकाओ को सरकारी विज्ञापन दिये जाते है ?

सूचना और प्रसारण मंत्री (श्री के० के० शाह) : (क) तीस।

(ख) सस्कृत की चार पत्रिकाओं—तीन मासिक और एक साप्ताहिक—को विज्ञापन और दृश्य प्रचार निदेशालय द्वारा केन्द्रीय सरकार के विज्ञापनों के लिए प्रयोग में लाया जा रहा है।

Lal Bahadur Shastri Memorial Fund.

2911. Shri George Fernandes:
Shri Virendrakumar Shah:
Shri J. H. Patel:
Shri S. M. Joshi:
Shri Madhu Limaye:

Will the Prime Minister be pleased to state:

(a) Whether a fund called the Lal Bahadur Shastri Memorial Fund has been set up to perpetuate the memory of the late Prime Minister;

(b) if so, the names of the members of the Memorial Fund Committee;

(c) the amount of money so far collected; and

(d) the amount of money spent from the fund?

The Prime Minister and Minister of Atomic Energy (Shrimati Indira Gandhi): (a) and (b). A trust known as the Lal Bahadur Shastri National Memorial Trust has been set up to work out and implement programmes for perpetuating the memory of the late Prime Minister Shri Lal Bhahadur Shastri. The following are the trustees:—

1. Dr. Zakir Husain
2. Smt Indira Gandhi
3. Smt. Lal Bahadur Shastri
4. Shri K. Kamaraj
5. Shri Morarji R. Desai
6. Shri Jayaprakash Narayan
7. Dr. Sampurnanand
8. Shri Biswanath Das
9. Shri Gulzarilal Nanda
10. Shri Y. B. Chavan
11. Shri S. K. Patil
12. Sardar Swaran Singh
13. Shri N. Sanjiva Reddy
14. Shri Prafulla Chandra Sen
15. Shri S. Nijalingappa
16. Shri M. Bhaktavatsalam
17. Shri Krishna Ballabh Sahay
18. Shri V. P. Naik
19. Shri K. Brahmananda Reddy
20. Shri Mohanlal Sukhadia
21. Shri G. M. Sadiq
22. Shri T. N. Singh
23. Shri C. B Gupta
24. Shri Kamalapathi Tripathi
25. Shri Atulya Ghosh
26. Prof. N G. Ranga
27. Prof. Hiren Mukherji
28. Shri J. R. D. Tata
29. Shri G. D. Birla
30. Shri V. V. Dravid
31. Shri Atal Behari Vajpayee
32. Shri S. N. Dwivedy
33. Shri S. Mulgaokar
34. Shri Amarnath Agarwal
35. Shri A. K. Karan

(c) Rs. 1,66,616, 42P

(d) No money has so far been spent.

Indian Ambassador in Syria

2912. Shri Ram Kishan Gupta:
Shri Yashpal Singh:
Shri Ram Gopal Shalwale:

Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that India had no Ambassador at Damascus during the period when recent developments on Syria's border with Israel took a grave turn; and

(b) if so, the reasons therefor?

The Minister of External Affairs (Shri M. C. Chagla): (a) and (b). Pursuant to decisions taken well before the crisis in West Asia the previous Ambassador to Syria left on transfer on the 17th May.

Transfers in the Foreign Service involve a chain of transfers and it is not unusual for some time to elapse before the successor assumes charge of his post. With the development of the crisis in West Asia the new Ambassador to Syria was recalled from leave and ordered to proceed to Damascus where he arrived on 5th June.

Indian Diplomat in Peking

2913. Shri K. P. Singh Deo: Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that an Indian diplomat in Peking was made to sign a Police statement that he would not purchase copies of a Red Guard Newspaper; and

(b) if so, the reaction of Government in this regard?

The Minister of External Affairs (Shri M. C. Chagla): (a) The facts of the case referred to have already been detailed by the Foreign Minister in his statement of June 13 in the Lok Sabha.

(b) This incident has been by passed by the latest developments relating to the treatment to our diplomats in Peking.

American ship 'Oceanographer

2914. Shri S. C. Jha: Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that the planned movement of the American ship 'Oceanographer around the Lacadive and the Maldive Islands and other Islands in the India Ocean and the Bay of Bengal is more from war strategy point of view than from any geological one; and

(b) if so, the steps taken by the Government in this behalf?

The Minister of External Affairs (Shri M. C. Chagla): (a) The U. S. Oceanographic Research and Survey Ship "OCEANOGRAPHER" called recently at Bombay in the course of a research voyage around the world in the course of which she is also due to pass through the high seas in the vicinity of Indian territory. The ship is a scientific research vessel, and we have no reason to suppose that its purposes are not purely scientific.

(b) No paticular steps are called for.

Pay Scales of Armed Forces

2915. Shri M. Meghachandra:
Shri Dhireswar Kalita:
Shri Maharaj Singh Bharati:
Shri Hukam Chand Kachwai:
Shri Ram Singh Ayarwal:
Shri Narendra Singh Mahida:

Will the Minister of **Defence** be pleased to state:

(a) whether there is any proposal under consideration of Government to increase the pay scales of the Officers and other ranks in the army;

(b) if so, the main features of the proposal now under consideration; and

(c) when a decision is expected to be taken thereon?

The Minister of Defence (Shri Swaran Singh): (a) No, Sir.

(b) and (c). Do not arise.

विदेशों में भारतीय मिशन

2917. श्री मोलड़ प्रसाद :
श्री महाराज सिंह भारती :
श्री रवि राय :

क्या वैदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) विदेशो मे स्थित भारतीय मिशनो मे दूतावासो और उच्चायोगों के स्तर के पृथक-पृथक कार्यालय कितने हैं, और

(ख) कितने राजदूत और उच्चायुक्त ऐसे हैं जो सरकारी नौकरी मे से नही चुने गये तथा वे किन किन-दलो से संबंधित हैं ?

वैदेशिक-कार्य मंत्री (श्री चु० क० चागला) :(क) (i) राजदूतावास के दर्जे के ऐसे कार्यालयो की सख्या जहा राजदूत रहते हैं—50

(ii) राजदूतावास के दर्जे के ऐसे कार्यालयो की सख्या जहा राजदूत नही रहते—4

(iii) हाई कमीशन के दर्जे के ऐसे कार्यालयों की सख्या जहा हाई कमिश्नर रहते हैं—16

(iv) हाई कमीशन के दर्जे के ऐसे कार्यालयों की संख्या जहा हाई कमिश्नर नही रहते हैं—1

इस लिए कुल सख्या है—71

(ख) आजकल गैर-वृत्तिक राजदूतो हाई कमिश्नरों की संख्या पन्द्रह है जिनमे से पाच सार्वजनिक क्षेत्र के है, एक भारतीय विदेश सेवा का सेवा निवृत्त अधिकारी है और शेष पांच ऐसे अधिकारी हैं जो भारतीय विदेश सेवा में नहीं हैं। केवल एक राजदूत अपनी नियुक्ति के समय कांग्रेसी था।

Report of Bhagavantam Committee on Television

2918. **Shri Jyotirmoy Basu:** Will the Minister of Information and Broadcasting be pleased to state:

(a) whether the Bhagavantam Committee on Television has submitted its report;

(b) if so, the main recommendations of the Committee regarding the manufacture of television receivers; and

(c) whether Government will lay a copy of the report on the Table?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) Yes, Sir.

(b) The Committee recommended that television receiver manufacturing capacity, based on indigenous know-how, to the extent possible, should be urgently set up through private or public sector concerns. The Committee also recommended to Government to waive or reduce substantially the excise duty on the television receivers manufactured in the country for the first five years.

(c) The Bhagavantam Committee's Report laid on the Table of the House. [*Placed in Library. See* No. LT-708/67].

लद्दाख में तिब्बती शरणार्थी

2919. श्री कुशक बाकुला : क्या वैदेशिक-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) लद्दाख मे इस समय कितने तिब्बती शरणार्थी है तथा उन मे से कितने लोगो को भूमि देकर बसाया गया है ;

(ख) जिन क्षेत्रों मे वे बसाये गये हैं उनका ब्यौरा क्या है तथा उनके पुनर्वास के लिये क्या-क्या सुविधायें दी गई हैं ;

(ग) क्या लद्दाख विकास आयुक्त द्वारा 1965-66 अथवा 1966-67 मे तिब्बती शरणार्थियों के पुनर्वास के बारे में प्रस्तुत की गई योजना को क्रियान्वित किया गया

है और यदि नहीं तो इसके क्या कारण हैं ;

(ङ) क्या चाउचांग क्षेत्र में बसे हुए शरणार्थियों की हानि की क्षतिपूर्ति करने के लिये उन्हें कोई सहायता दी गई है क्योंकि बड़ी संख्या में उनकी भेड़ें और बकरियां मर गयी थीं।

(च) क्या लद्दाख में तम्बुओं में रहने वाले शरणार्थियों के लिये मकान आदि बनाने की कोई योजना बनाई गई है ; और

(छ) क्या लद्दाख में रह रहे बहुत से शरणार्थियों पर लगाए गये जासूसी के आरोप, जिसके कारण उन्हें उनके परिवारों से अलग रखा गया था, सिद्ध हो चके हैं ?

वैदेशिक-कार्य मंत्री (श्री मु० क० चागला): (क) और (ख). करीब 3,500 चांगचांग इलाका में कोई 1900 तिब्बती स्थानीय अर्थ-व्यवस्था मे लगा लिए गए हैं और वे भेड़ों और ढोरों को पालकर अपनी जीविका कमा रहे हैं।

(ग) जी नहीं। इस योजना की सफलता सिंचाई की सुविधाओं पर निर्भर है जो राज्य अधिकारियों को सुलभ बनानी थीं। सिंचाई परियोजना पर काम अभी शुरू किया जाना है और केन्द्रीय पानी एवं बिजली आयोग उसका तकनीकी अध्ययन कर रहा है ; उसकी रिपोर्ट का इंतजार है।

(घ) जी नहीं। हमें भेड़-बकरियों के बड़ी संख्या में मर जाने के बारे में कोई जानकारी नहीं है।

(ङ) इस बात पर तब विचार किया जाएगा जबकि उन्हें जम्मू और काश्मीर की सरकार से प्राप्त प्रस्तावों के अनुसार मलो-स्तोक क्षेत्र में फिर से बसा दिया जाएगा।

(च) जासूसी करने का आरोप किसी पर नहीं लगाया गया। लद्दाख से 19 तिब्बतियों को निकाल दिया गया था क्योंकि उन पर अवांछनीय कार्रवाइयां करने का शक था। उन्हें उड़ीसा और मैसूर की बस्तियों में भेज दिया गया है और उनके परिवार भी उनके पास ही पहुंच गए हैं।

लद्दाख कारगिल और लेह में रेडियो स्टेशन

2920. श्री कुशक बाकुला : क्या सूचना तथा प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या लद्दाख में कोई रेडियो स्टेशन स्थापित किया गया है ;

(ख) यदि हां, तो उसका किस तारीख को उद्घाटन किया गया था ;

(ग) यदि नहीं, तो प्रधान मंत्री द्वारा, जब वह सूचना और प्रसारण मंत्री थीं इस संबंध मे दिये गये आश्वासन को पूरा न करने के क्या कारण हैं ;

(घ) क्या भूतपूर्व सूचना और प्रसारण मंत्री श्री राज बहादुर ने भी 1966 में आश्वासन दिया था कि उस वर्ष सितम्बर के प्रथम सप्ताह तक कारगिल तथा लेह में एक एक रेडियो स्टेशन खोला जायगा ;

(ङ) यदि हां, तो उस बारे में अब तक कोई कार्य आरम्भ न करने के क्या कारण है ; और

(च) क्या लद्दाख, कारगिल तथा लेह में रेडियो स्टेशन खोलने का विचार है ?

सूचना और प्रसारण मंत्री (श्री के० के० शाह) : (क) जी, नहीं।

(ख) प्रश्न नहीं उठता।

(ग), (घ) तथा (ङ). इस संबंधमें प्रधान मंत्री जब सूचना और प्रसारण

मंत्री थीं, या श्री राजबहादुर द्वारा दिये गये किसी विशिष्ट आश्वासन का अभी तक पता नहीं लग सका है। तो भी, लेह में एक रेडियो स्टेशन स्थापित करने का प्रस्ताव है और केन्द्र जल्दी तभी स्थापित किया जा सकता है जब भवन, यातायात बिजली आदि जैसी सभी अपेक्षित सुविधाएं दी जाएं। क्योंकि यह एक दुर्गम क्षेत्र है और ऊपर बताई गई सुविधाओं में से अभी तक एक भी सुविधा हासिल करना सम्भव नहीं हुआ है, इसलिए केन्द्र स्थापित नहीं किया गया है।

(च) स्वीकृत चतुर्थ पंचवर्षीय योजना में केवल लेह में एक रेडियो स्टेशन स्थापित करने की व्यवस्था है।

Ladakhi Programme on A. I. R.

2921. Shri Kushok Bakula: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether any Ladakhi programme is broadcast from All India Radio, Delhi at present;

(b) if so, the nature of the programme broadcast and the number of Ladakhi people employed on the work;

(c) if not, the reasons therefor; and

(d) the reasons for not broadcasting programme in Ladakhi Language when programmes in all the languages are broadcast from All India Radio, Delhi?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) No, Sir.

(b) Does not arise.

(c) and (d). All India Radio, Delhi, like any other regional Station of All India Radio, broadcasts programmes only in the languages spoken by a sizable section of the people in the region.

Supply of Oils to South Vietnam

2922. Shri Indrajit Gupta:
Shri Bedabrata Barua:
Shri Y. A. Prasad:
Shri N. K. Sanghi:

Will the Minister of **External Affairs** be pleased to state:

(a) whether the attention of Government have been drawn to the Chinese "Hsin-hua" agency report that India has agreed to send 1,000 tons of diesel and other oils to South Vietnam;

(b) if so, whether the oil has begun to be shipped from Cochin port; and

(c) if so, the reasons for permitting such despatches which can be used for military purposes?

The Minister of External Affairs (Shri M. C. Chagla): (a) Yes, Sir.

(b) The report is completely false and without any foundation.

(c) Does not arise.

Emoluments of Armed Forces Personnel

2923. Shri Nitiraj Singh Chaudhary: Will the Minister of **Defence** be pleased to state:

(a) the monthly emoluments being paid to Armed Forces personnel separately for each cadre and also separately for all arms;

(b) when this pay was last revised;

(c) whether it is also a fact that civilian employees of equal and inferior ranks are having more amenities than armed forces personnel;

(d) whether it is a fact that civilian employees have to maintain only one establishment, as they live with their family whereas a person serving in the Army has invariably to maintain two establishments; and

(e) whether Government propose to revise the pay scale, Dearness Allowance and other emoluments of the Armed Forces personnel?

The Minister of Defence (Shri Swaran Singh): (a) Details of pay, allowances and various concessions admissible to Armed Forces personnel (i.e. other than Commissioned officers) are given in the following Appendix to the Annual Report of the Ministry of Defence for 1966-67:

(i) Appendix B (pages 143 to 148) for Army personnel.

(ii) Appendix C (pages 158 to 162) for Sailors.

(iii) Appendix D (pages 171 to 175) for Airmen.

Subsequent to the publication of the Annual Report, the lower rates of ration allowance mentioned in the above Appendices have been increased w.e.f. 1-4-67, from Rs. 1·82 to Rs. 1·88 per diem in the case of Army personnel, from Rs. 2·36 to Rs. 2·44 per diem for Sailors and from Rs 2·38 to Rs. 2·46 per diem for Airmen.

2. There are no cadres as such for Armed Forces personnel; their monthly emoluments depend on pay group, rank, length of service, nature of duties, area station in which serving, etc.

(b) The rates of pay of Armed Forces personnel were last revised in 1960 with retrospective effect from 1-7-59

(c) It is not possible to make any precise comparison between the two categories of personnel as the system of renumeration and concessions is different.

(d) The question arises only when civilian employees or defence personnel are posted away from their homes or normal place of residence. In such cases and when they have to go to non-family stations the question of two establishments may arise The need is therefore contingent on their posting.

(e) No proposal of ay general revision is under consideration but from time to time questions of changes in allowances do arise. Some proposals in that regard are under consideration.

Films for State Awards

2924. Shri Vasudevan Nair: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether any films have been selected for State awards for 1966;

(b) if so, which are the pictures selected; and

(c) if no picture has been selected, the reasons therefor?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) to (c). Government have been considering the question of widening the scope of the State Awards for Films with a view to offering further incentives to the Producers and Directors of quality films. A few more categories of awards are proposed to be introduced. In that event the rules will have to be revised and will have to be notified in the Gazette of India. Steps are being simultaneously taken to invite entries of films produced in the year 1966 for the awards.

Scientific Officers in Atomic Mineral Division

2925. Shri Sidheshwar Prasad: Will the **Prime Minister** be pleased to state:

(a) whether it is a fact that no Director has been appointed in the Atomic Mineral Division for the last six years;

(b) whether the posts of Scientific Officers in the Division have not been made permanent although Officers have been serving for more than fifteen years;

(c) whether no pool accommodation has been made for these officers at their respective Headquarters; and

(d) whether no promotion rules have been framed in the Division although parallel organisations like Council of Scientific and Industrial Research have framed such rules, resulting in great disatisfaction in the Division?

The Prime Minister and Minister of Atomic Energy (Shrimati Indira Gandhi): (a) In 1960, the Geological Adviser to the Department of Atomic Energy was entrusted with the duties of the Director, Atomic Minerals Division. With effect from March 13, 1967, the Atomic Minerals Division has been reorganised and two Regional Directors have been appointed.

(b) Posts of Scientific Officers in the Division have been made permanent and orders confirming individual officers are expected to issue shortly.

(c) No special pool accommodation has been provided for these officers as they are entitled to the general pool accommodation in various cities.

(d) Recruitment rules for appointment to various scientific and technical posts in the Atomic Minerals Division are in existence and promotion are made on the basis of these rules.

Protest from Pakistan Regarding Trade with Israel

2926. Shri D. C. Sharma: Will the Minister of **External Affairs** be pleased to state:

(a) whether Pakistan has protested to India against his statement on trade between Pakistan and Israel; and

(b) if so, the reaction of Government thereto?

The Minister of External Affairs (Shri M. C. Chagla): (a) Yes, Sir.

(b) The protest of the Pakistan High Commission has been rejected. Copies of Pakistan's protest note and Government of India's reply thereto are placed on the Table of the House. [*Placed in Library. See* No. LT-709/67].

यूरेनियम का निर्यात

2927. **श्री ब्रह्मानन्द जी :**
श्री जगन्नाथराव जोशी :
श्री हुकम चन्द कछवाय :
श्री राम सिंह अहीरवाल :
श्री महाराज सिंह भारती :

क्या प्रधान मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार यूरेनियम का निर्यात करने का है ; और

(ख) यदि हां, तो 1966-67 में यूरेनियम का कितना निर्यात किया गया और कितनी विदेशी मुद्रा अर्जित की गई ?

प्रधान मंत्री तथा अणुशक्ति मंत्री (श्रीमती इन्दिरा गांधी): (क) जी नहीं।

(ख) प्रश्न नहीं उठता।

वायुसेना के मुख्यालय में आग लगने की घटना

2928. **श्री ब्रह्मानन्द जी :**
श्री जगन्नाथराव जोशी :
श्री हुकम चन्द कछवाय :
श्री राम सिंह अहीरवाल :

क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) रामकृष्णपुरम में ब्लाक संख्या 6 के कक्ष 7 में स्थित वायु सेना के मुख्यालय में इस वर्ष कितनी बार आग लगी ;

(ख) इसके परिणामस्वरूप जान और माल की कितनी हानि हुई तथा आग लगने के क्या कारण थे ;

(ग) क्या सरकार ने इस बारे में कोई जांच करवाई है ; और

(घ) यदि हां, तो उसके क्या परिणाम निकले हैं ?

प्रतिरक्षा मंत्री (श्री स्वर्ण सिंह): (क) इस प्रकार की केवल एक घटना हुई जो 23 मई 1967 को घटी थी।

(ख) से (घ). आग लगने से किसी की मृत्यु नहीं हुई वायु सेना नियमों के अनुसार इस घटना की जांच के लिए और जितनी सम्पत्ति की हानि हुई इसकी जांच के लिए एक जांच अदालत बैठाने का आदेश दिया गया। जाच अदालत की रिपोर्ट के प्राप्त होने पर ही आग लगने के कारण और अन्य विवरण मालूम होंगे।

Programme for East Africa

2929. Shri P. N. Solanki: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether it is a fact that while the external Programmes for East Africa in Swahili, Hindi, and other languages are being Broadcast from Delhi but only one Programme in Gujarati is broadcast and that too half of it, is being broadcast from Bombay; and

(b) if so, the reasons thereof?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) and (b). No Sir. Gujarati Service to East Africa is being broadcast in two sessions daily—a news bulletin of 15 minutes duration in the morning and a general programme of 45 minutes duration in the evening. The morning news bulletin is broadcast from Delhi and is carried on the High Power Transmitter at Bombay. The evening Programme originates from Bombay and is put out simultaneously from High Power Transmitters at Delhi and Bombay. The place of origin of a certain programme is determined by the availability of suitable transmitters at the time when the service is required to be broadcast.

Gujarati News Broadcast from A.I.R. Station at Delhi & Bombay

2930. Shri P. N. Solanki: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether it is a fact that Gujarati News in the External Services are broadcast from Delhi in the morning and from Bombay in the evening; and

(b) if so, the special reasons for this arrangement?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) and (b). Yes, Sir, The morning news-bulletin in Gujarati is of 15 minutes' duration and is a national bulletin based on material supplied by PTI and UNI and other sources. Such a bulletin can be prepared only at Delhi by the News Services Division. This bulletin is fed to Bombay on telephone lines for broadcast from the Bombay High Power Transmitter.

The evening bulletin in Gujarati is of 5 minutes duration and is a regional bulletin covering only head lines of regional news of particular interest to Gujarati population in East Africa; it is prepared by the Regional News Unit at Bombay. This bulletin is part of a composite Gujarati programme of 45 minutes' duration which because of the availability of talent is produced in Bombay. It is however, broadcast on both Delhi and Bombay High Power Transmitter.

News Reading on A.I.R.

2931. Shri P. N. Solanki: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether the All India Radio has any machinery to scrutinise or act upon the suggestions made by Press and Public regarding the poor quality of News Reading; and

(b) if so, how it functions?

The Minister of Information and Broadcasting (Shri K K. Shah): (a) and (b). Criticisms or suggestions received from listeners through letters or noticed in newspapers are brought to the attention of the news-readers concerned. The importance of effective newsreading is constantly emphasised on those responsible for news-reading. There is, however, no separate machinery for the purpose.

Recorded Speeches

2932. **Shri P. N. Solanki:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether it is a fact that the recorded voices of Mahatma Gandhi and Shri Jawahar Lal Nehru are broadcast from time to time but recorded voice of Sardar Patel is not broadcast; and

(b) if so, the reasons therefor?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) While All India Radio broadcasts the recorded voices of Mahatma Gandhi and Pandit Jawahar Lal Nehru, it also utilises from time to time in its programmes the recorded voice of Sardar Patel

(b) Does not arise.

Ranks, Badges and Uniforms of Defence Services

2933. **Shri Hem Raj:** Will the Minister of **Defence** be pleased to state:

(a) whether it is a fact that the ranks, badges and uniforms are different in the three wings of Army, Navy and Air Force of the Defence Services;

(b) if so, whether Government propose to bring uniformity in them; and

(c) if not, the reasons therefor?

The Minister of State in the Ministry of Defence (Shri B. R. Bhagat): (a) Yes, Sir.

(b) No, Sir.

(c) The ranks, badges and uniforms in the three Services have a tradition and distinction of their own and are consistent with the specific characteristics of each Service.

Economy in the Working of Indian High Commission in London

2934. **Shri Vasudevan Nair:** Will the Minister of **External Affairs** be pleased to state:

(a) the main recommendations of the report submitted by the team of the Foreign Service Inspectorate which went into the question of effecting economy in the working of the Indian High Commission at London; and

(b) the decisions taken thereon?

The Minister of External Affairs (Shri M. C. Chagla): (a) The report of the Foreign Service Inspectors has not yet been finalised.

(b) Does not arise.

Helicopters from U.S.A.

2935. **Shri Atam Das:** Will the Minister of **Defence** be pleased to state:

(a) whether Government have any proposal under consideration to purchase Sikorksy Sea King helicopters from U.S.A. to strengthen the Indian Air Force; and

(b) whether Government also propose to set up a factory to manufacture these helicopters in collaboration with U.S.A.?

The Minister of Defence (Shri Swaran Singh): (a) No, Sir.

(b) Does not arise.

फ़िल्म सेंसर बोर्ड

2936. **श्री ओ० प्र० त्यागी :** क्या सूचना और प्रसारण मंत्री यह बताने की कृपा करेंगे कि :

(क) 31 मार्च 1967 तक पिछले पाच वर्षों की अवधि में उन फिल्मों की संख्या कितनी है जिनके प्रदर्शन के लिये फिल्म सेंसर बोर्ड ने अनुमति नहीं दी थी किन्तु केन्द्रीय मंत्रालय ने अनुमति दे दी थी ; और

(ख) फिल्म सेंसर बोर्ड की राय की अवहेलना करके केन्द्रीय मंत्रालय ने किन कारणों से उनके प्रदर्शन की अनुमति दी है ?

सूचना और प्रसारण मंत्री (श्री के० के० शाह) : (क) 14 ।

(ख) उपर्युक्त मामलों पर पुनर्विचार करने पर सरकार इस नतीजे पर पहुंची कि उनके प्रदर्शन से यथा-संशोधित चलचित्र अधिनियम, 1952 की धारा 5ख(1) में उल्लिखित फिल्मों के सार्वजनिक प्रदर्शन संबंधी सिद्धान्तों का उल्लंघन नहीं होगा।

सहायक कैडेट कोर

2937. श्री राम गोपाल शालवाले : क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) सहायक कैडिट कोर के प्रशिक्षण पर वार्षिक कितना धन व्यय किया जाता है ; और

(ख) अब तक कितने पुरुष तथा महिला दोनों को प्रशिक्षण दिया जा चुका है ?

रक्षा मंत्रालय में राज्य मंत्री (श्री ब० रा० भगत) : (क) तथा (ख). सहायक कैडेट कोर को 1965–66 में अन्तिम रूप से बन्द किए जाने के कारण उस पर अब कोई व्यय नहीं किया जा रहा है। सहायक कैडेट कोर मुख्य रूप से नागरिक और शारीरिक प्रशिक्षण देने से संबंधित था। उसमें पुरुषों और महिला कैडेटों को सैनिक प्रशिक्षण नहीं दिया जाता था।

Community Radio Sets for Punjab

2938. Shri Ram Kishan Gupta: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the number of Community Radio Sets supplied to the rural areas in Punjab during the Third Five Year Plan which are lying idle at present; and

(b) the steps taken by Government to repair such radio sets?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a). Under the Central Government Subsidy Scheme, 4,300 community listening receivers were supplied to the Punjab Government (before the reorganisation) during the Third Five Year Plan period. Information on the actual number of the receivers lying idle is not available. It is being collected from the State Government and will be laid on the Table of the House.

(b) The maintenance of the Community Radio receivers supplied to States under the Community Listening Subsidy Scheme is the responsibility of the State Governments and they have set up organisations for this purpose. A model maintenance scheme for their guidance has already been circulated. The importance of setting up suitable maintenance machinery on the lines of the model scheme has been impressed on the State Governments from time to time.

Ex-Servicemen in Manipur

2939. Shri M. Meghachandra: Will the Minister of **Defence** be pleased to state:

(a) the number of Ex-servicemen at present in the Union Territory of Manipur;

(b) the steps being taken to rehabilitate them; and

(c) how many of them are still unemployed?

The Minister of Defence (Shri Swaran Singh): (a) According to approximate statistics available with the Manipur State Soldiers' Sailors' & Airmen's Board the number of ex-servicemen in Manipur, including families of serving and deceased soldiers, is 5,882.

(b) Ex-servicemen of Manipur State too are eligible for the following facilities and concessions which have been or are being provided to rehabilitate ex-servicemen—

For Direct Employment:

(i) Permission for registration in an Employment Exchange of their own choice, six months before their release.

(ii) Grant of priority III for Civil Employment by Employment Exchanges.

(iii) Age relaxation to the extent of service in the Armed Forces *plus* a grace period of 3 years, wherever necessary.

(iv) Relaxation of minimum educational qualification for appointment to Class IV posts.

(v) Preference for jobs in Defence installations and in security posts for which they have special background.

(vi) Reservation of vacancies in permanent posts in Class III and Class IV to the extent of 10 per cent and 20 per cent respectively for a period of two years in the first instance from 1st July, 1966.

For training in order to improve employment prospects:

(vii) Vocational training at the Industrial Training Institutes for which 5 per cent seats have been reserved with stipends.

(viii) Preference for teacher's training.

(ix) Tractor and Agricultural Farm Machinery Training (the first batch to go in for training in July 1967).

(x) Pre-release training for about 3,000 Army personnel every year in certain selected trades in the various Industrial Training Institutes located near-about their Regimental Centres, (the scheme to be implemented shortly).

The State/Union Territory Governments including the Government of Manipur have been requested to extend the concessions mentioned at (iii), (iv) and (vi) above for direct employment in the corresponding State Services and posts.

(c) According to the statistics of the Employment Exchange of the Union Territory of Manipur, the number of ex-servicemen waiting for jobs on 31st March, 1967 as shown on the live register was 111.

Indians in West Germany

2940. Shri Jyotirmoy Basu:
Shri K. Haldar:
Shri Bhagaban Das:
Shri C. K. Chakrapani:
Shri E. K. Nayanar:
Shri K. Ramani:

Will the Minister of **External Affairs** be pleased to state:

(a) the number of Indians living in West Germany;

(b) the number who have settled down there;

(c) whether Government have received any complaint regarding ill-treatment meted out to Indians there;

(d) if so, details thereof; and

(e) the steps Government propose to take in this regard?

The Minister of External Affairs (Shri M. C. Chagla): (a) 4251.

(b) 22 (19 hold German and 3 British passports).

(c) No, Sir.

(d) and (e). Do not arise.

Pak. Attempt to Malign India Abroad

2941. Shri Hem Barua: Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that Pakistan is trying to utilise the current crisis in West Asia to malign India in the Arab world and to promote misunderstanding between the two by putting forward all sorts of mischievous stories about India;

(b) whether it is also a fact that Pakistan is putting forward another set of stories about India for circulation in Western world *vis-a-vis* the present West Asian crisis; and

(c) if so, the details thereof and the steps taken by Government, to counteract these malicious lies?

The Minister of External Affairs (Shri M. C. Chagla): (a) Yes, Sir.

(b) Yes, Sir.

(c) During the West Asian crisis Pakistan has attempted to malign India by fabricated stories. Some of the inventions of Pakistani propaganda are given below:

Pakistan news media circulated a story to the effect that India was supplying spare parts worth 2 million pounds to Israel for her Ouragan Jet Fighters. This vicious allegation was absolutely baseless and was immediately denied.

When President Nasser's Emissary came to India to convey U.A.R. Government's appreciation for India's support, Pakistani propaganda machinery brought out reports that the Emissary had come to ask for aircraft and India had let U.A.R. down. This story was again fabrication as President Nasser's Emissary made no such request and the question of turning it down did not, therefore, arise.

In the Western world, Pakistan in order to ingratiate itself with those who are sympathetic to Isreal said that India was supplying arms to the U.A.R. This shows how double-faced Pakistani propaganda is.

Apart from this the Pakistani propaganda machine, as usual, distorted or mis-quoted statements by various Indian leaders.

As usual our Missions were suitably instructed to publicise the correct facts.

Ordnance Factories in Maharashtra

2942. Shri Jyotirmoy Basu:
Shri K. Haldar:
Shri Bhagaban Das:
Shri K. Ramani:
Shri C. K. Chakrapani:
Shri E. K. Nayanar:

Will the Minister of Defence be pleased to state:

(a) the number of Ordnance Factories erected in Maharashtra State during the last five years; and

(b) the minimum and maximum distance of such factories from the border?

The Minister in the Ministry of Defence (Shri B. R. Bhagat): (a) During the last 5 years, in Maharashtra State erection work started on 3 Ordnance Factories. One of them has since gone into production.

(b) Of these the nearest factory is approximately 600 Kilometres and the farthest factory is about 1000 kilometres from the border.

Entry of Chinese Nationals in India through Sikkim

2943. Shri B. N. Shastri: Will the Minister of External Affairs be pleased to state:

(a) whether Government are aware that there being no passport system between India and Sikkim, Chinese Nationals often enter India in the guise of citizens of Sikkim; and

(b) if so, the steps taken by Government to check it?

The Minister of External Affairs (Shri M. C. Chagla): (a) With Sikkim's border with Tibet already closed, the Chinese do not have free access to Sikkim There is no Chinese community in Sikkim and even the entry into India of Tibetan refugees in Sikkim as well as of others of "Chinese origin" is subject to Indian regulations. In view of this, the assumption in the question would seem to be unfounded.

(b) Does not arise.

Opening of New Radio Stations for Regional Languages

2944. **Shri Bedabrata Barua:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the number of radio stations, opened during the last year to cater to the needs of regional languages; and

(b) the scheme for opening of new Stations during the year 1967-68?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) During 1966-67 new Radio Stations, with low power transmitters, were set up at Mathura and Aijal. The Station at Mathura, besides improving the coverage, caters to the needs of Brij Bhasha. The Station at Aijal is intended to serve the Mizo Hills area near Aijal and broadcasts some of the programmes in the local dialects. Also Auxiliary transmitting centres were commissioned at Gulbarga, Coimbatore, Agartala, Bhagalpur and Udaipur to extend the service from their respective existing Radio Stations at Dharwar, Tiruchi, Calcutta, Patna and Jaipur.

(b) During the year 1967-68 new Radio Stations are expected to be opened at Pondicherry, Dibrugarh and Teju (NEFA). An auxiliary transmitting centre will also be commissioned at Parbhani which will extend the coverage of the existing Radio Station at Poona.

Televisions

2945. **Shri Nitiraj Singh Chaudhary:**
Shri B. S. Sharma:
Shri Ram Kishan:

Will the **Minister of Information and Broadcasting** be pleased to state:

(a) the name of All India Radio Station where from Television programmes are relayed;

(b) the plan for providing Teievision Broadcasting and Relaying Stations in the country during this and next three years;

(c) the places where Television Broadcasting stations and the places where relaying stations would be located;

(d) the areas these broadcasting and relaying stations would cover; and

(e) the period by which whole country would be covered by Television?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) Delhi TV Centre.

(b) to (d). The Fourth Five-Year Plan of All India Radio, as approved by the Planning Commission, provides for the setting up of Television Stations at Bombay, Calcutta, Madras and Kanpur besides the exnapsion of Delhi TV Centre. These Stations are expected to cover the cities and the areas around them. The range of these Stations will depend upon the power of the transmitter, type of antenna employed, location of the transmitting centre and antenna height. The details have not yet been finalised.

(e) It is hoped that the country would be covered progressively during the next ten to fifteen years.

Powerful Transmitter at A.I.R. Panaji-Goa; and Goa

2946. **Shri Shinkre:** Will the Minister of **Information and Broadcasting** be pleased to state:

(a) whether Government are aware of the frequent demand from Goans for the installation of a powerful transmitter at A.I.R. Panaji-Goa; and

(b) if so, what Government propose to do in this connection?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) Yes, Sir.

(b) It is proposed to increase the power of the existing transmitter at Panaji (Goa) in order to improve the broadcast coverage in the territory of Goa.

Number of Employees at A.I.R. Panaji-Goa

2947. Shri Shinkre: Will the Minister of **Information and Broadcasting** be pleased to state:

(a) the total number of employees in the All India Radio Station at Panaji-Goa;

(b) the number of local people and the number of outsiders; and

(c) the number of local employees who are connected with the Konkani Bhasha Mandal, Goa?

The Minister of Information and Broadcasting (Shri K. K. Shah): (a) One hundred and forty four.

(b) One hundred and thrity one are local people and thirteen are from outside.

(c) three.

Ex-servicemen of Former Portuguese Army in Goa

2948. Shri Shinkre: Will the Minister of **Defence** be pleased to state:

(a) the number of ex-servicemen of Goan origin from the former Portuguese Army in Goa at present;

(b) the steps so far taken by Government to rehabilitate them, and

(c) the number of those who are still unemployed?

The Minister of Defence (Shri Swaran Singh): (a) The information is not available. The former Portuguese Army personnel of Goan origin are not treated as ex-servicemen for the purpose of benefits and concessions admissible to the ex-servicemen of the Indian Armed Forces.

(b) and (c) Do not arise.

संयुक्त राष्ट्र आपात सेना में भारतीय सैनिक

2949 श्री रघुवीर सिंह शास्त्री :
श्री प्रकाशवीर शास्त्री :
श्री विश्वनाथ शास्त्री :

क्या रक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) संयुक्त राष्ट्र आपात सेना के कितने भारतीय सैनिक संयुक्त अरब गणराज्य तथा इसराईल की सीमा पर समय समय पर तैनात किये गये और इस समय उनकी संख्या कितनी है ;

(ख) संयुक्त राष्ट्र संघ की ओर से अन्य देशों के क्रमश कितने सैनिक वहां पर तैनात किये गये; और

(ग) क्या ऐसे कार्यों के लिये विदेशों में सैनिक भेजे जाते समय सैनिक अधिकारियों से परामर्श लिया जाता है ?

प्रतिरक्षा मंत्रालय में राज्य मंत्री (श्री ब० रा० भगत): (क) तथा (ख). 1956-57 से संयुक्त राष्ट्र आपात सेना मे भारतीय सैनिको और अन्य देशों के सैनिकों की अधिकतम संख्याशक्ति पहली नवम्बर, 1966 की स्थिति के अनुसार निमनलिखित है।

वर्ष	भारतीय सैनिक संख्या शक्ति
1956-57	958
1957-58	1173
1958-59	1218
1959-60	1249
1960-61	1255
1961-62	1249
1962-63	1249
1963-64	1258
1964-65	1273
1965-66	1255
1966-67	981

अन्य देशों से सैनिक

देश	संख्या शक्ति
ब्राजील . .	506
कनेडा .	795
डेनमार्क . .	341
नार्वे . .	265
स्वेडन . .	2
यूगोस्लाविया .	707
योग .	2616

(ग) जी हां।

Pilgrims from Pakistan

2956. **Shri Atam Das:** Will the Minister of **External Affairs** be pleased to state:

(a) whether it is a fact that 100 pilgrims from Pakistan are expected to visit the shrine of Hazrat Khawaja Allauddin Ahmed Subiz at Kalyan Sharif in Saharanpur (in U.P.) in the near future; and

(b) if so, the details of facilities etc. which Government propose to provide them during their stay in India?

The Minister of External Affairs (Shri M. C. Chagla): (a) Yes, Sir. Permission has been accorded to a party of 100 Muslim pilgrims from Pakistan to visit the Shrine of Hazrat Khawaja Alauddin Ali Ahmed Sabir at Kaliar Sharif, Distt. Saharanpur (U.P.) from 18th to 25th June, 1967.

(b) Boarding, lodging and transportation facilities will be provided to the pilgrims as usual, on payment.

12.37 hrs.

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

"In accordance with the provisions of rule 111 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to enclose a copy of the Companies Tribunal (Abolition) Bill, 1967, which has been passed by the Rajya Sabha at its sitting held on the 15th June, 1967."

COMPANIES TRIBUNAL (ABOLITION) BILL

As passed by Rajya Sabha

Secretary: Sir, I lay on the Table of the House the Companies Tribunal (Abolition) Bill, 1967, as passed by Rajya Sabha.

12.38 hrs.

PANEL OF CHAIRMEN

Mr. Speaker: I have to inform the House that under sub-rule (1) of rule 9 of the Rules of Procedure and Conduct of Business in Lok Sabha, I nominate the following Members on the Panel of Chairmen:—

1. Shri K. Manoharan.
2. Shri C. K. Bhattacharyya.
3. Shri G. S. Dhillon.
4. Shri Bal Raj Madhok
5. Shrimati T. Lakshmikanthamma; and
6. Shri S. M. Joshi.

12.38½ hrs.

COMMITTEE ON GOVERNMENT ASSURANCES

First Report

Mr. Speaker: Shri Vajpayee may present the report.

Shri A. B. Vajpayee (Balrampur)—*rose.*

Shri Samar Guha (Contai): Sir, I rise to a point of order. I had given a Calling Attention Notice on the serious food situation developing in West Bengal. While food riots have started there my Calling Attention Notice has been rejected. Shops and bazars are being ransacked and houses are being searched for food....

Mr. Speaker: Order, order. He cannot raise it like this. 110 Calling Attention Notices have been received today. If all the 110 Members, like Shri Samar Guha, get up and start raising their points of order do you think this House can function. Therefore, I would request hon. Members whose Calling Attention Notices have not been accepted not to raise it in this way. As I said, 110 notices were received today. It is such a big bundle that if everybody starts getting up in this way there will be no end to it.

Shri Hem Barua (Mangaldai): Sir, I understand your difficulties. At the same time, I have my full sympathy for the situation in West Bengal. I submitted another Calling Attention Notice 15 days ago.....

Mr. Speaker: You are also doing the same thing, exactly what Shri Samar Guha did.

Shri Samar Guha: Will the hon. Food Minister make a statement?

Mr. Speaker: I do not know. The Food Minister is here. The hon. Member can ask him.

श्री प्रकाश विहारी वाजपेयी : अध्यक्ष महोदय, मैं सरकारी आश्वासनों सम्बन्धी समिति का प्रथम प्रतिवेदन प्रस्तुत करता हूं।

12.46 hrs.

STATEMENT UNDER DIRECTION 115(1).

Situation in Naxalbari

Shri H. N. Mukerjee (Calcutta North East): Mr. Speaker, Sir, in pursuance of Direction 115(1) of the Directions by the Speaker under the Rules of Procedure of Lok Sabha, I intend to invite the attention of the House to an apparently incorrect statement made by the Home Minister Shri Chavan, in Lok Sabha on 13th June, 1967 (since repeated in Rajya Sabha on 14th June, 1967) regarding non-receipt from the West Bengal Government of official information regarding the situation in Naxalbari and adjoining areas in spite of a request for the same having been conveyed to the state Government.

Sir, Delhi papers reported that the West Bengal State Government was surprised at the Home Minister's statement in Parliament, since a communication on the matter had in good time, according to the State Government, been sent to the Home Minister. This report appeared in several Delhi newspapers and I need not particularise it.

I would like you, Sir, to be pleased to let me have a rectification of the anomaly which is represented by this difference in the papers.

The Minister of Home Affairs (Shri Y. B. Chavan): Sir, While speaking in this House in the evening of 13th June in the course of a discussion on the situation in the Naxalbari area I had stated that I had sent a telegram to the Chief Minister of West Bengal on 12th June and that my Ministry had also requested the West Bengal Government later the same day to supply information on certain points sought to be raised in this House. I had proceeded to say that since I had not received replies to the two communications I was somewhat handicapped in making a full state-

[Shri Y. B. Chavan]

A reply to my telegram to the Chief Minister was received in the afternoon of 14th June. A reply to the other Communication from the Ministry was received in the Home Ministry at about midnight of 13th June. Thus when I made my statement in this House in the evening of 13th June neither of these two replies had reached by Ministry.

However, it has since been brought to my notice that in response to a request by the Ministry on 10th June in connection with a Calling Attention Notice in the Rajya Sabha the West Bengal Government had handed in a wireless message in Calcutta on the evening of 12th June, and the message had been delivered to the Home Ministry in the afternoon of 13th June. Unfortunately, this message was not promptly brought to the notice of any of the senior officers who were dealing with the subject, with the result that I had not been informed of it when I made my statement in the evening of 13th June. I regret that not being aware of the receipt of this message I made a statement in this House to the effect that no information had been received from the State Government.

I wish to take this opportunity to make it clear that in stating that no reply had been received to the two communications of 12th June it was far from my intention to suggest that there had been any undue delay on the part of the West Bengal Government. I may add that I have sent a communication to the Chief Minister, West Bengal, assuring him on these lines.

Shri H. N. Mukerjee: I appreciate the Home Minister's statement. But in view of the delicate balance, I hope that good care is taken every time to see that no irritations are caused which can be avoided.

Shri Jyotirmoy Basu (Diamond Harbour): With regard to this correspondence with the West Bengal Government, Sir, would you be so kind as to direct the Home Minister to place copies of the papers on the Table of the House?

Mr. Speaker: There is no question of placing them on the Table.

12.45 hrs.

ANDHRA PRADESH AND MYSORE (TRANSFER OF TERRITORY) BILL*

The Ministry of Home Affairs (Shri Y. B. Chavan): Sir, I beg to move for leave to introduce a Bill to provide for the transfer of certain territory from the State of Mysore to the State of Andhra Pradesh and for matters connected therewith.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the transfer of certain territory from the State of Mysore to the State of Andhra Pradesh and for matters connected therewith."

The motion was adopted.

Shri Y. B. Chavan: I introduced† the Bill.

12.46 hrs.

IRON ORE MINES LABOUR WELFARE CESS (AMENDMENT) BILL*

The Minister of State in the Ministry of Labour, Employment and Rehabilitation (Shri L. N. Mishra): Sir,

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*Published in Gazette of India Extraordinary, Part II, section 2, dated 19-6-67.

†Introduced with the recommendation of the President.

I beg to move for leave to introduce a Bill further to amend the Iron Ore Mines Labour Welfare Cess Act, 1961.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Iron Ore Mines Labour Welfare Cess Act, 1961."

The motion was adopted.

Shri L. N. Mishra: I introduce† the the Bill.

RE: INDIAN EMBASSY IN CHINA

Mr. Speaker: I would like to announce that about our Embassy in China a statement will be made by the Government at 5.30 P.M. today.

12.48 hrs.

PASSPORTS BILL—*Contd.*

Mr. Speaker: The House will now take up further consideration of the Passports Bill. Shri Supakar will continue his speech. He has already taken about 4 minutes.

Shri Sradhakar Supakar: (Sambalpur): I was dealing with a wide spectrum of colourful personalities like Rita Feria, Dr. and Mrs. Dharma Teja, Sheik Abdulla, the underground Nagas who went to meet Phizo and the delegation of Members of Parliament who went to Taiwan and Israel. Here I would like to quote two interesting cases which were dealt with in the judgment of the Supreme Court.

In writ Petition No. 30 of 1967, Mr. R. D. Chakravarty, Under Secretary to the Government of India in the Ministry of External Affairs states on affidavit that Om Parkash Kapur was a member of a gang of passport racketeers and had got many students stranded in foreign countries, because as a travel agent he had arranged for their travel with a company which did not exist. In proof of the objectionable activities of the petitioner, the Union of India filed a photostat copy of his letter in which the petitioner had written in his own handwriting how tickets were to be manipulated.

In the second case it is stated that Satwant Singh Sawhney, the famous petitioner, obtained in 1961 an import licence under the Export Promotion Scheme for import of brake liners in ribbons and brass rivets of the face value of Rs. 3 lakhs on condition that he would export finished brake liners worth Rs. 4 lakhs to non-rupee account areas. He however sold away in Indian markets 91 per cent of the imports. He was also alleged to have defrauded the import control authorities by showing fraudulent exports with a view to obtaining import licences under the Export Promotion scheme. Investigations were going on into his doings in Kuwait and the passports were withdrawn, because Satwant Singh Sawhney, it was apprehended, wished to leave India to tamper with evidence.

12.51 hrs.

[SHRI C. K. BHATTACHARYYA *in the Chair*]

This is the character of the cases involved in the Supreme Court majority judgment and I do not know whether after the marjority judgment people will not claim a fundamental right to racketeer in passports. That is my apprehension. However, in the Supreme Court majority judgment they have not dealt with the issue whether the allegations against the applicants were correct or not. But there may be some other cases also of rich people, who have enough money to spend, wishing to squander valuable foreign exchange of which we are in short supply. This is very important because now there is a proposal to abolish the P form altogether. We want a legislation on passports which would cover all these classes of cases and also cases of those who are ignorant people who wrongly think that if they go abroad in search of a job they will get it and who, when they actually go abroad, are disillusioned.

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†Introduced with the recommendation of the President.

[Mr. Sradhakar Supakar]

In this connection I will read one sentence from the Explanatory Memorandum appended to the Passports Bill which says:—

> "Government might have to protect his interests abroad *vis vis* a foreign state and might also have to arrange for his repatriation to India at public expense, should he become destitute or a public charge."

All these cases have to be covered by a legislation on passports. But, unfortunately, we find that clause 2(f) of section 6, which was there in the Ordinance, has been omitted. About that I have given notice of an amendment. While moving for consideration of the Bill on Friday the hon. Minister of External Affairs said that that clause had been omitted because it would take a long time to consider the financial conditions. But it is the responsibility of Government to see that our people in foreign countries do not behave in such a manner that will tell upon the prestige of our country.

I would have expected that the Government provided in the clauses what is called a *sui generis* clause, that is to say, for refusing passport to a person on other sufficient grounds along with the six or seven clauses that have been enumerated. But, unfortunately, that has not been done and it has been stated that on these grounds only and on no other grounds the Passport Authority may refuse a passport.

The Bill has been passed in the Rajya Sabha. Now, the interval of time between the promulgation of an ordinance and its passing into law must be a very short one and, therefore, it may be said that the urgency of legislation is there. But it would have been better if having regard to the complexity of situations likely to arise in the cases of the issue of passports, this Bill had been considered, about the pros and cons, about liberalisation or the need for stringency in a Bill of this nature, in a Select Committee. But this has not been done obviously for want of time.

I also feel that the Government had not the time to think over all the aspects of the problem because the time between the judgment of the Supreme Court and the date of the promulgation of the ordinance was very short. The judgment of the Supreme Court was announced on 24th April, 1967 and the Ordinance was promulgated on 5th May, 1967 and the Government had no time in the short interval to give thought to the problem.

I, therefore, appeal to the Minister of External Affairs to give greater thought to all the problems which I have enumerated that may arise out of the passport regulations and, if necessary, bring an amending Bill at a later stage, enumerating all the conditions which may arise on the question of the necessity of having restricted and curtailed rights in the matter of the issue of passports.

Shri M. R. Masani: (Rajkot): Mr. Chairman, Sir, as is well-known, this Bill is a result of a judgment of the Supreme Court and before I deal with some aspects of the Bill to which exception may be taken, I would like to draw your attention to one or two parts of the judgement. The judgement of Chief Justice Subba Rao says that "the real question in these writ petitions is whether a person living in India has a fundamental right to travel abroad" and he draws attention to the relevant article of the Constitution, that is Article 21. He goes on to say:

> "If the right to travel is a part of the personal liberty of a person, he cannot be deprived of his right except according to procedure established by law."

Then, in a later part of the judgement there is a passage where he says:

> "For the reasons mentioned above, we would accept the view of Kerala, Bombay and Mysore High Courts in preference to that expressed by the Delhi High Court. It follows that under Article 21 of the Constitution, no person can be deprived of his right to travel except according to procedure established by law."

Finally, later the judgement, in the Supreme Court says:

> "But in the present case the executive claims a right to issue a passport at its discretion; that is to say, it can at its discretion prevent a person from leaving India on foreign travel. Whether the right to travel is part of personal liberty or not within the meaning of Art. 21 of the Constitution, such an arbitrary prevention of a person from travelling abroad will certainly affect him prejudicially. A person may like to go abroad for many reasons. He may like to see the world, to stay abroad, to undergo medical teatment that is not available in our country, to collaborate in scientific research, to develop his mental horizon in different fields and such others. An executive arbitrariness can prevent one from doing so and permit another to travel merely for pleasure."

The point in my reading these passages is that I find the Bill, as now framed, offends against this judgment in certain respects and indeed against the Constitution. There are several aspects in which the Bill offends against the Constitution and the judgment of the Supreme Court.

Mr. Chairman: The hon. Member may continue his speech after lunch.

Shri M. R. Masani: Thank you.

13 hrs.

The Lok Sabha then adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after lunch at Five Minutes Past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER *in the Chair*]

PASSPORTS BILL—*Contd.*

Mr. Deputy-Speaker: The House will now take up further consideration of the Passports Bill. We have only 2 more hours left for this Bill. I think we can have I hour more for the general discussion and 1 hour for the clause-by-clause consideration. I hope that that would be acceptable to the House.

Shri M. R. Masani: There should be at least 1 hour for the clause-by-clause consideration, because there are about 53 amendments to be considered. At least 1 hour for the clause-by-clause consideration should be there.

Mr. Deputy-Speaker: Yes, we can have 1 hour for the clause-by-clause consideration.

Now, Shri M. R. Masani may resume his speech.

Shri M. R. Masani: I had just started before lunch to draw attention to some features of the Supreme Court judgment. It was a historic judgment which had struck a blow for the liberty of the citizen. Unfortunately, I find that the Bill has some features which are not in consonance with the spirit of the judgment, and I do not even know if they are consistent with the letter of the Constitution.

There are three features of the Bill which are objectionable. To start with the smallest, in clause 5 it is prescribed that the officer concerned

[Shri M. R. Masani]

may not only reject an application for a passport but may even refuse to give reasons why he is rejecting it. This is the height of arbitrary exercise of discretion which the Supreme Court has ruled cannot be applied in the case of a fundamental right like the right to travel. It is bad enough that, on the plea of public interest or some other ground, a citizen can be refused a passport but when it comes to this that the man who refuses the passport refuses even to share a brief statement of the reasons why he has refused the passport, it gets to the height of utterly arbitrary and tyrannical behaviour. This clause should be amended to strike out this ridiculous power that is sought to be taken by Government.

The second aspect which is objectionable is about the grounds on which a passport may be refused. Some of these grounds are reasonable and I have nothing to say about them. But there is one which is objectionable and that is the one in clause 10 where it is said:

> "if the passport authority deems it necessary so to do in the interests of the sovereignty and integrity of India, the security of India, friendly relations of India with any foreign country, or in the interests of the general public."

The objectionable words are:

> "friendly relations of India with any foreign country.".

These words are very dangerous because they are very subjective. Friendly relations of India with any foreign country means anything that involves the interests or relations of India with any other country with which we may have diplomatic relations, including, let us say, the Peking Communist regime. If somebody goes abroad or is going abroad who, they consider, may say something against the Cultural Revolution or the Thoughts of Mao Tse-tung or the kind of peculiarly gentlemanly and civilised behaviour which Peking has been displaying during the last few days, then that also could be made a reason for refusing the man a passport, because our precious relations with this bandit regime must come before everything else.

Just to show how servile our Government can become where the susceptibilities of Communist powers are concerned, let me give just one instance. It will amuse the House to know the reason why for six months that excellent film *'Dr. Zhivago'* was not allowed to be shown in this country. In order to suck up to the Soviet Embassy and the Soviet dictatorship, ultimately certain portions had to be cut out. Here are the words that were cut out for the purpose, from which the House will judge what "friendly relations with a foreign power" are supposed to mean in the eyes of this Government.

For instance, one character says:

> 'Yes, but do you know at what cost? There were children in those days who lived off human flesh. Did you know that?'.

That was cut off.

Another remark cut off was:

> 'No, the Bolsheviks do not like me and I do not like them. They do not know right from wrong.".

The third remark that was cut off was:

> "This Lenin, will he be a new Czar then?".

The fourth remark was:

> "I am the only free man on this train. The rest of you are cattle.".

And the final remark was, and very true it was:

> "Personal life is dead in Russia; history has killed it.".

In the case of a Government that interferes with the freedom of the film and for six months denies the people of this country from seeing a wonderful production like *Dr. Zhivago'* because of these innocent words, which every child knows to be true, is it beyond their capacity to deny a man a passport because they may say that the Soviet Embassy would not like it or that the Soviet Government would not like it?

In other words, a servile government like this, which sucks up to Nasser at one and, Kosygin at the other and Mao Tse-tung at the third cannot be trusted with the power to deny an Indian citizen his right to travel because those in office think that their precious relations with these gentlemen would be disturbed. I think this provision should not form part of this Bill.

The last, and most important objection is that the right of appeal to the Courts is sought to be taken away In clauses 6, 9 and 11 it is made perfectly clear that a citizen cannot go to a court of law when he is wrongly or arbitrarily denied his passport. Now, this aspect of the Bill is a direct defiance of, and an attempt to defeat, the judgment of the Supreme Court. The Supreme Court says "This is a fundamental right; the right to travel is a part of the right of personal liberty. You may not by your discretion or arbitrary behaviour deprive any citizen of this right. Therefore, please pass a law so that the rule of law may prevail". My hon. friend now brings forward a Bill saying that this is what the Supreme Court wanted. But they forgot to put in a provision that the citizen, when denied his passport, shall in the last resort have the right to go to a court in appeal.

I do hope that if this Bill is passed in this form, the Supreme Court will strike it down, and I hope that Chief Justice Subba Rao's historic judgment will be followed by another historic one declaring this Bill *ultra vires* of the Constitution. We will not vote for this Bill unless this non-justiciable aspect is removed.

The Foreign Minister gave a very interesting explanation. I am reading from the official summary:

> "The question of making the issue of passport justiceable was also considered. Every effort had been made to expedite the issue of passports But if an appeal was made to a court of law the result would be considerable delay because a court of law could not refuse whatever the procedure provided. It would cause greater hardship to a citizen if he had to go in appeal to a court of law than to an administrative officer who could dispose it of quickly".

It is perfectly true that the first appeal should be to an administrative officer. If the Regional Passport Officer in a particular place says 'no'; then certainly let there be a higher official of the Ministry of External Affairs appointed to consider such appeals. Nobody quarrels with that. That is a perfectly correct thing. Nobody suggests that he should go straight to a court of law and be delayed for six months. But supposing the official of the Ministry of External Affairs refuses a passport then where does the question of delay come in? Does it mean that Shri Chagla feels that a man who is refused a passport would rather submit to that ruling than go to court and get it after a few weeks? This is most ridiculous and an eye-wash. I am surprised that the hon. Minister should think so low as to insult the intelligence of this House by making this statement in his original speech. I hope he will not indulge a similar

[Shri M. R. Masani]

performance in the U.N. General Assembly in New York in the coming days and hold us up to a similar ridicule.

An hon. Member: I won't be surprised if he does.

Shri M. R. Masani: I won't be surprised if he does it either.

But let us stick to this. I say that the right of appeal to the courts is not an alternative to the right of appeal to an administrative officer. It is an additional right which should follow when the first appeal to the administrative officer fails. Then the question of delay simply does not arise.

Already the 'P form' is another illegal way by which Indian citizens are prevented from going abroad. I am very glad that the Administrative Reforms Commission has pointed out that the Reform should be dispensed with and that a man who has got a passport should have the right to go abroad without further let or hindrance.

These are two illegal things. One is the P form. I hope it will be struck down by the Courts if somebody takes it up there. Then there is this new illegality perpetrated, which violates art. 14 of the Constitution.

I say that these provisions which bar appeal to the Courts are *ultra vires* the Constitution particularly article 14. I do suggest that even now Government rather than have this lawless law passed may consider removing this aspect and make a provision for final appeal to the Courts where a domestic appeal fails. If they do not do that, then I am afarid we shall have to vote against the Bill as a whole.

When the time comes for moving amendments, we shall move amendments to improve the Bill.

Shri K. Narayana Rao: (Bobbili): We are aware of the particular circumstances under which this Bill has been brought forward. To appreciate the necessity of this Bill, perhaps it is desirable to have a little historical background of this particular problem.

Before we got independence, the problem of entry into and exit out of India was governed by British laws. So far as Indians going abroad was concerned, it was regulated by the British passport system, and Indians were used to be described as British subjects. So far as foreigners coming into India was concerned, it was regulated by the Indian Passport Act, 1920.

After independence, this British system was not applicable to Indians going aboard Unfortunately, we ignored that aspect of it, and we used to regulate it by executive instructions That is to say, so far as foreigners coming into India was concerned, we had the Passport Act, and so far as Indians leaving India was concerned, we regulated it by executive instructions.

The issue was brought before courts from time to time and was agitated in several High Courts, and as Mr. Masani has pointed out, different High Courts gave different verdicts. Ultimately it came before the Supreme Court. The issues before the Supreme Court were two-fold: whether the denial of a passport constitutes denial of the right of freedom of movement of the citizen, and whether, the possibility of discrimination being inherent in executive instructions, it was violative of article 14. On these two issues, the majority held that a denial of a passport would be violative of articles 21 and 14.

I cannot agree with the judgment of the Supreme Court, Article 19(1)

(d) relates to freedom of movement of the citizen within India. The Supreme Court has, however held that personal liberty under article 21 means freedom of movement, including freedom to go to foreign countries. It says that it is a residuary right which should be accommodated in article 21.

The difficulty in accepting this conclusion of the Supreme Court is two-fold. First of all, it is an elementary principle that most laws are internal in their application, and even the Indian Constitution cannot confer a right on the Indian citizen to go abroad, or to do something in foreign countries, as it is opposed to the principles of international law. If it were to be assumed that Indian citizens, can have the right to travel abroad, is it not violative of the national sovereignty of other countries. We have a passport system and no foreigner can step into India without permission of the Government of India. We have the Registration of Foreigners Act. We regulate their movements and ask them to report to the police station etc. Similarly, when Indians go abroad, the movement of Indians therein will be regulated by that foreign Government. Such being the case, I am not in a position to agree with the Supreme Court judgement that personal liberty in article 21 extends to the right of an Indian citizen to go abroad.

Shri S. Kandappan (Mettur): We are not discussing the judgment of the Supreme Court.

Mr. Deputy-Speaker: But it is the background to the Bill and so he is perfectly within his right to refer to them.

Shri K. Narayana Rao: Mr. Masani has referred to the fundamental rights and in the light of that assumption he made certain comments. Suppose this judgment is overruled by the next judgment. This is a judgment decided by 3: 2. Very strong dissenting opinion is there. It is quite likely that this judgment may be reversed.

I agree with the judgment about article 14. No executive action could be taken, especially relating to the freedom of a citizen's fundamental freedoms, without an enabling legislation. When citizens are affected by executive action, it should be done with the authority of the law. There is necessity for empowering the executive authority to regulate the issue of passports. Under Entry No. 19 in the Union List, 7th Schedule, Parliament has been given the power.

Now coming to the Bill, in principle I agree with this necessity for this Bill but I have some difficulty in accepting some of the provisions of the Bill. It can be very well improved. I will refer to two items. One is about the 'grounds'. Clause 6 lists nine grounds on which an application can be rejected. Of these four or five are mere facts which are verifiable. It says that a person shall be a citizen of India. There is no difficulty in verifying that. It refers to persons convicted of imprisonment for two years for offences involving moral turpitude. It is also a verifiable ground. There are some other conditions which involve discretion in political matters. For instance, the question whether the ravel abroad of a person will be prejudicial to the interests, to the security and integrity, of India is there. I am doubtful if any passport authority could be given discretionary power like that without consulting the Central Government. These are political issues and it will be extremely dangerous to leave them to ordinary passport authorities, much more so when that authority has not been defined. There is a vacuum because in the entire Act the passport authority has not been defined. He may be big man or a small man but to give him such wide powers will be bad.

[Shri K. Narayana Rao]

About the right of appeal, I agree with Mr. Masani's comments. The passport authority has been given the power to give the grounds. If it is to be rejected, it must be rejected by the Central Government. If a citizen is not told of the grounds, how can he prefer an appeal? Otherwise, the right of appeal is fictitious. At least the appellate authority should have the power to call for the grounds on which an application had been rejected. With these words, I finish.

Shri A. N. Mulla (Lucknow): Mr. Deputy-Speaker, Sir, I rise to support the Bill which is before the House. Some amendments have been moved, but I feel that a case for sending the Bill to the Select Committee has not been made out. Mr. Goel did make some general remarks, but I believe that they can be urged as amendments to the various sections of this Bill, and there is no reason why the passage of this Bill should be delayed when it has become almost a necessary Bill. It became a necessary Bill after the decision of the Supreme Court. The majority decision has been hailed by some Members of this House on my right as a great vindication of the rights of the citizens. Would they be surprised to know that a large number of persons in this country were simply amazed at this decision and I was one of them? That judgment no doubt is now the law of the land but at the same time, I can express my surprise at the view which the learned judges took, because in the context of the world of today, when values are constantly changing, when our conception of liberty is also undergoing a change, when the conception of the public good is dominating the mind of the people, this conception of absolute liberty certainly seems to be strange. Even nationals today except an outlaw nation like China, cannot be totally independent and so an individual cannot be completely at liberty to do whatever he pleases without any regulation or restrictions. This doctrine of absolute liberty is completely out-dated and it cannot be applied to the necessities of the present times in which we are living.

I think there are four main considerations which have to be kept in mind when we go through the provisions of this Bill. In the first place, the granting of the passport should be the rule and the refusal should be the exception. This should be accepted that whenever an application comes, normally it would be granted and the refusal would be only in extraordinary cases Secondly, when the prayer is refused, a written order stating the reason must be given to the applicant. A refusal without assigning the reasons is not right; it is neither desirable nor proper. The reasons must be given so that the applicant, if he is dissatisfied, should go in appeal and this appeal should not go from an administrative post to an administrative pillar, for it would only mean that no fresh mind was brought to deal with the matter but the same authority under two different names, first passed an order and then confirmed it. At the appellate stage, an authority other than the administrative authority, should decide the matter, for, issuing a passport is is not merely an administrative and a political act; it also deals with the right of the citizen. Therefore, although a passport is basically a political document, being a letter of introduction given by a country to another country. It vouches the respectability of a citizen, and then grants him the right to travel abroad. Therefore, a judicial mind at some stage should come in the picture to decide whether the rights have been rightly refused or denied. Thirdly, the process of granting passports should be simplified and streamlined and no undue delay should occur because of a complicated procedure. In my opinion, 3 days would be ample time to issue a passport. For an appeal, 10 days are more than enough. The fourth consideration should be that discretionary powers

of administrative authorities should be restricted as far as possible by directions contained in written rules, so that the chances of law being used as an engine of political oppression and discrimination and not as an instrument of order should be reduced to the minimum. At the moment the greatest suspicion against any discretionary power vested in the authorities is that it is likely to abuse that discretionary power. In an administrative order, you cannot completely do away with this discretionary power—but if it is reduced to the minimum and a judicial mind is introduced at some stage to look into the matter. I think the rights of the citizens could be amply safeguarded.

Shri S. Kandappan: Sir, travel abroad should be encouraged with a view to strengthen the ties of human fellowship, which will ensure lasting peace in the world. This Bill, which is apparently very innocuous, has got a sinister motive behind it and I totally oppose it. I am not for a moment suggesting that there should not be any regulation in the issue of passports. It needs to be regulated for two reasons. One is our foreign exchange position and the other is, people who go abroad may indulge in subversive activities in that country. With regard to foreign exchange regulations, it is not the concern of the External Affairs Ministry, but of the Finance Ministry. But even otherwise, if our previous experience is any example, as the Administrative Reforms Committee has suggested, there is nothing much to fear on that account.

In this Bill, a plethora of rules have been created apparently to regulate the activities of our people going abroad, but there is enough scope given for political discrimination at the hands of the executive. Actually the recent judgment of the Supreme Court relates to the right of a citizen for passport. The Supreme Court has observed that to travel abroad, any citizen in India has an equal right like any other citizen; it is his personal liberty and it cannot be curtailed unless it is regulated by the procedure under article 21 of the Constitution. Accordingly this Bill has been brought. I find that the procedure that has been followed up till now is codified in this Bill and nothing more is there. The arbitrariness that was there is still going to be there. The discretion of the executive is still there. It has not been curtailed or even mitigated. After all, in the long history of 20 years of independence, we have come across only two people who were named for indulging in any kind of subversive activities in foreign countries. One has gone away to London without being apprehended and the other has been brought back and put into prison after his passport being impounded. For these rare cases we need not attach so much importance and create abundant laws which will give enough room for the executive to tamper with. That is my first objection to this Bill.

Another thing is, I find a remarkable omission in this Bill of another kind of subversive activity that has become more and more frequent and in increasing number by our nationals in foreign countries. If political subversion has to be prevented, I think it is equally important, if not more, to prevent economic subversion of people who go abroad. When this matter was taken up in Rajya Sabha the hon. Minister, Shri Chagla, is reported to have declined taking any responsibility for that. He said he was not at all concerned with that, he was concerned only with people going abroad. I do not agree with him on that point. I feel strongly about it.

I feel that something must be done about it and this whole Bill should be recast so as to see that no kind of economic subversion is indulged in. It is common knowledge that people like Dharma Teja and Sahu Jain go scotfree. They can get 'P' forms, passports and anything they like. I am not here saying that we should

[Shri S. Kandappan]

not allow business people to go abroad....

श्री हुकम चन्द कछवाय (उज्जैन) : उपाध्यक्ष महोदय, मैं आप की व्यवस्था चाहता हूं। आप को ध्यान होगा कि पिछली बार अध्यक्ष महोदय द्वारा यह निर्णय दिया गया था कि सदन में कोई मंत्रिमंडल का मंत्री अवश्य होना चाहिये।

Mr. Deputy-Speaker: The Minister responsible is present here.

श्री हुकम चन्द कछवाय : यह इतना महत्वपूर्ण विषय चल रहा है, लेकिन इस वक्त एक भी मंत्री उपस्थित नहीं हैं। क्या आप आदेश देंगे कि उन को बुलवाया जाय ?

Mr. Deputy-Speaker: I have taken note of it.

Shri Rane (Buldana): There is no such ruling.

Shri S. Kandappan: Sir, the Bill could have been more welcome if it had incorporated some provisions to apprehend people who are really swindlers and smugglers who bring ruin to the economy of this country (*Interruption*). I submit that the whole Bill should be recast and they should come with a different Bill suited to the needs, the necessities and the circumstances prevailing in India today.

Another important point I would like to make is with regard to the administrative aspect to which some previous speakers have made a reference. In these passport offices there seems to be some kind of a taboo to exercise commonsense and to show any courtesy or understanding or sympathy towards the people who approach them. Everybody is suspected and looked on with suspicion. There should be some understanding and some human touch to the whole problem. Actually the harassment and the travail to which these passport applicants are being subjected to is horrible. I can say this from my own experience. As far as my part of the country, Tamilnad, is concerned, there are quite a large number of people who have got connections with Malaya, Singapore, Ceylon and other south-east Asian countries They go there frequently. They have got their kith and kin there. For them travel abroad is a very common thing. Even the people who live in rural areas, even the peasants, the labourers who work in the rubber and tea plantations of Ceylon go there often. They find it difficult to get their passports and travel documents. I think some sort of a cell should be created or at least some administrative orders should be issued to mitigate the difficulties of these people who go abroad.

Another important point that I would like the Minister to bear in mind is the historical, cultural and other bonds that exist owing to our blood relations and friendship particularly with Ceylon We often get invitations to visit that country for cultural and other activities. Unfortunately for us our Embassy people in Ceylon are not oriented as to the true nature of the DMK here with the result that people in Ceylon took upon the Tamilians here as suspects simply because there is quite a considerable minority there and all sorts of cock and bull stories are circulated in Ceylon about the DMK. I would appeal to the Government that they should see to it that some kind of counter-measures are taken and real true propaganda is done in that country so as to explain to the people there and to apprise them of the true nature of the DMK. Unless they are made to feel that the three crores of Tamilians living in India are their closest friends, I am afraid, there cannot be any real lasting friendship between these two countries. This is a vital matter; so, the Government should see to it that real friendship exists. If what they profess to be real friendliness is a challange there, then there is no ground

for refusing passports or travel documents to DMK people going abroad.

With this submission I oppose the Bill aind I would like the Minister to take note of the few suggestions that I have made

Mr. Deputy-Speaker: How long will the Minister take—15 minutes?

The Deputy Minister in the Ministry of External Affairs (Shri Surendra Pal Singh): Yes, Sir

Mr. Deputy-Speaker: There are a number of hon. Members who would like to participate in the debate and hardly 20 minutes are left Is it the desire of the House that I should extend the time?

Some hon. Members: Yes

Mr. Deputy-Speaker: Then I will extend it by one hour, otherwise it is not possible to conclude the debate within 20 minutes, because every Group representative would like to participate in the debate, and nobody adheres to the rule of 10 minutes It is very difficult to enforce that rule

Shri Surendra Pal Singh: We are in your hands.

Shri M. R. Masani: That means clause-by-clause discussion will start at 4 o'clock.

Mr. Deputy-Speaker: At 4 or 4.15. I want to finish it as early as possible.

श्री हुकम चन्द कछवाय : मंत्रिमंडलीय स्तर के किसी मंत्री को बुलवाइये। मदन ने यह तय कर रखा है कि हमेशा कोई न कोई कैबिनेट स्तर का मंत्री उपस्थित रहेगा।

Mr. Deputy-Speaker: They are all here. The Minister in charge of it is here; he is very attentive and is taking notes. I do not think any purpose will be served by repeating the same thing over and over again.

श्री हुकम चन्द कछवाय : यह बात नहीं है। तय यह है कि कैबिनेट स्तर का मंत्री उपस्थित रहेगा। इस तरह से कारंबाई नहीं चल सकती है।

श्री अ० सि० सहगल (बिलासपुर) : जो डीलें करते हैं और जिन को जवाब देना है, वह बैठे हुए हैं।

श्री हुकम चन्द कछवाय : जो निर्णय पहले से है उसको आप कैंसल करवाइये।

Mr Deputy-Speaker: It was not the rule It was expected that some senior Minister would remain present. But the Minister in charge is here. He is attentive and is listening to all the points made

Shri S. Kandappan: It is all right; he initiated the discussion on this Bill in the Rajya Sabha

Shri Vikram Chand Mahajan (Chamba): Mr. Deputy-Speaker, Sir, the Government has taken a timely step by introducing this Bill regulating the issue of passports. This Bill is a sufficiently comprehensive measure but there are certain lacunae which I would like to bring to the notice of the House

Shri K. K. Nayar (Bahraich): Till what time will the debate proceed?

Mr. Deputy-Speaker: I have extended time by one hour. Originally, I wanted to finish it by 3 o'clock; now, it will be finished by about 4 o'clock.

Shri Vikram Chand Mahajan: There are certain lacunae in the Bill which many hon. Members have brought to the notice of this hon. House. I want to point out some of them

श्री हुकम चन्द कछवाय : उपाध्यक्ष महोदय, मंत्री महोदय को बुलवाइये। क्यों आदेश नहीं दे रहे हैं। इस तरह से कैसे कारंबाई चल सकती है?

Mr. Deputy-Speaker: Shri Kachhavaiyya, if I were to insist that leaders and deputy leaders must also be present in the House, would it be correct? So, please resume your seat. Let the debate go on.

श्री हुकम चन्द कछवाय : जरूर होना चाहिये । इसके बारे में रूल है ।

Shri Vikram Chand Mahajan: One of the lacunae which I want to bring to the notice of the hon. House is in clause 5(3) of the Bill. This Bill empowers the passport authorities to deny the right of passport to a particular applicant, or issue a passport to a particular applicant But if the passport authorities deny the passport to the applicant, the passport authority has another right, that is, the right not to supply copy to the person who has applied for a passport. Now, though the right of appeal is given to the person who has applied for a passport to file an appeal against the order of the passport authority denying him that passport, yet, if the copy is not given to him, then the right to appeal becomes meaningless, because what has he got to appeal against if he does not know the grounds on which he is going to appeal? Now, this denial of the copy on the part of the passport authorities is again not appealable. That is to say, if the passport authority thinks that it is not in the interest of the security of the country or public interest to give him a copy, then the person who has applied for the copy has no right to appeal against this particular order also. Therefore, uncanalised and uncontrolled power has been given to the passport authority to issue a passport or not to issue a passport. If he decides not to issue a passport, then another right is given to him not to supply a copy also.

Similarly, once a passport is issued, then again, a right is given to the passport authority to cancel the passport. Now, once a passport is cancelled, another right is conferred on the passport authority i.e., not to supply a copy of the grounds by virtue of which he has cancelled the passport.

Now, once you give a passport, then there must be certain right given to the applicant who has got the passport to claim a right of appeal why his passport is going to be cancelled. But under this Bill once a passport is cancelled the right still vests in the passport authorities not to supply the copy. Then, again, another right is given to the Central Government, the right not to give a passport, and again there is no right of appeal provided against this particular order. Thus, we have three authorities which have been given the right not to give a passport and yet the person who appies for a passport has no right either to file an appeal or go to any other forum where he can air his grievances.

My submission is that such uncontrolled powers given to an official hierarchy, which has no judicial experience, would be practically making a mockery of the Passport Act or the right of a citizen to get a passport. Similarly, no limit is provided within which period the passport authority has to give a decision; the passport authority can take one or two years to come to a decision Of course, rules are being made which may provide for some period. But my submission is that the Act itself should have provided a specific period. For example, in the Representation of the People Act it is provided that within six months an election petition has to be decided.

So, my submission is that this Act has to be reconsidered in the light of the various discussions which have taken place, especially regarding the right of a citizen to get a passport. If that right is denied, then there should be a forum which should be a judicial authority where he can ventilate his grievance. We all know that an appeal from an officer of the Government to another officer of the same

Government is normally a sort of farce, because the appellate authority has no judicial experience nor the capacity to see objectively the whole case. Therefore, the right of appeal should be vested in a forum like the District Judge or the High Court. If the Central Government think that it is in the public interest or the security of the country that the proceeding should be held *in camera*, as in the cases under the Preventive Detention Act, the power can be given to the High Court to hear the proceedings in camera. Similarly, a right can be given to a citizen to go in appeal, those proceedings can be *in camera*, as in the case of Preventive Detention Act. Therefore, my submission is that the right of appeal should be there in every case. Secondly, uncontrolled powers should not be vested in the Central Government because it is not necessarily the Minister concerned but the Secretary or the Joint Secretary who is given the authority or the power, to decide the cases and their decisions are absolutely final and nobody can question them because the Act says so. Clause 11 provides that no appeal sholl lie against any order made by the Central Government. My submission is that such arbitrary powers, uncontrolled powers, given to the Central Government which means the Secretary or the Joint Secretary, would be considered arbitrary even by the courts and so, instead of the courts striking it down, it is better to refer the Bill to the Select Committee for mature consideration and necessary amendments.

श्री क० लि० मधुकर (केसरिया) : उपाध्यक्ष महोदय, इस बिल को सिलेक्ट कमेटी के सुपुर्द करने के लिए जो संशोधन रखा गया है, मैं उस का समर्थन करता हूं । इस बिल की विभिन्न धाराओं को देखने से मालूम होता है कि इस बिल के विषय में ठीक ढंग से विचार नहीं किया गया है । इस में जीवों के मौलिक अधिकारों की सुरक्षा की कोई व्यवस्था नहीं की गई है, बल्कि यह बिल हमारे मौलिक अधिकारों पर लगाम लगाने वाला है ।

इस बिल के द्वारा अधिकारियों को इतने विस्तृत अधिकार दे दिये गए हैं कि उन के द्वारा इस कानून पर अमल किये जाने के सम्बन्ध में मनमाने ढंग से काम किये जाने का भय है । पिछले बीस सालों का यह अनुभव है कि जब कभी हमारी पार्टी के लोगों ने या कई दूसरे लोगों ने पासपोर्ट के लिए दरख्वास्त दी, उस में तरह तरह की अड़ंगे-बाजी की गई और कभी कभी तो पासपोर्ट दिया ही नहीं गया । हम जानते हैं कि इस सदन के सदस्य, श्री रामावतार शास्त्री, ने कई बार पासपोर्ट के लिए दरख्वास्त दी, लेकिन उन को पासपोर्ट नहीं दिया गया । कई दूसरे लोगों के सम्बन्ध में भी ऐसा ही किया गया । पिछले बीस वर्ष का यह अनुभव है कि सरकार ने पासपोर्ट देने के सम्बन्ध में खासकर विरोधी दलों के लोगों के विरुद्ध पक्षपात किया है । इस अवस्था में यह जरूरी है कि एक तो हमारे अधिकारियों को मनमाने ढंग से इस कानून पर अमल करने की छूट न हो और दूसरे, हमारे मौलिक अधिकारों का हनन न हो, इन दोनों बातों की समुचित व्यवस्था इस बिल में की जानी चाहिए ।

इस बिल में अपील करने की व्यवस्था नहीं है, जो नियमित: कानून में होनी चाहिए जिस के जरिये से अधिकारियों की कार्यवाही के खिलाफ़ कचहरियों में अपील की जा सके । इस बिल में अपील के सम्बन्ध में भी ऐसी व्यवस्था की जानी चाहिए, जिस से किसी भी व्यक्ति को गलत तरीके से पासपोर्ट से वंचित न किया जा सके ।

मैं जानता हूं कि हमारे देश के कितने ही ऐसे लोगों को देश से बाहर जाने की अनुमति दी गई है, जिन्होंने स्मगलिंग किया है, जो बाहर से सोना लाए हैं और जिन्होंने कई प्रकार के नियमों और कानूनों का उल्लंघन किया है, लेकिन सरकार की तरफ

[श्री क० मि० मधुकर]

से उन के विरुद्ध कोई कार्यवाही नहीं की गई है । इस की तुलना में कई दूसरे लोगों को बिना किसी उचित कारण के पासपोर्ट नही दिया गया है ।

ऐसा मालूम पड़ता है कि इस बिल पर डी० आई० आर का भूत सवार है । यह बिल इस प्रकार की आशंकाओं से भरा पड़ा है कि जो लोग विदेशों में जायेंगे, वे हिन्दुस्तान की सुरक्षा के खिलाफ़ काम करेंगे वास्तव मे यह बिल सुप्रीम कोर्ट के फैसले के कारण नहीं लाया गया है, बल्कि देश मे जो नई स्थिति पैदा हुई है, जिस में कांग्रेस के पैरो के नीचे से मिट्टी खिसकती जा रही है, उस के कारण यह कानून बनाने का निश्चय किया गया है । सरकार ने यह बिल ला कर लोगो की सिविल लिबर्टीज़ पर हमला करने और देश में यह आशंका पैदा करने का प्रयत्न किया है कि जो लोग हिन्दुस्तान से बाहर जायेंगें, वे सबवर्सिव एक्टिविटीज़ मे भाग लेंगे और देश की सुरक्षा के विरुद्ध काम करेंगे । ऐसा मालूम होता है कि डी० आई० आर० इस बिल के रूप में फिर आ रहा है ।

सरकार ने इस बिल मे ऐसी धारायें रखी ह, जिन के द्वारा न केवल साधारण व्यक्तियों के, बल्कि एक क्लास कम्युनिटी और ग्रुप के मौलिक अधिकारो पर हमला होता है । ऐसा मालूम होता है कि सरकार को यह शंका है कि कुछ ग्रुप या वर्ग ऐसे हैं, जो हिन्दुस्तान के प्रति वफादार नही है । अगर यह बात सही है, तो ऐसे लोगों के खिलाफ़ कार्यवाही की जानी चाहिए, लेकिन केवल शंका के आधार पर किसी ग्रुप या समूह को पासपोर्ट से वंचित करने की व्यवस्था करना उचित नही है । हो सकता है कि इस कानून के द्वारा मुस्लिम समाज, दक्षिण भारत के लोगों या कुछ विशेष पार्टियों के लोगों के मौलिक अधिकारों पर हमला किया जाए । इस प्रकार की आशंकाओ से सरकार की दुर्बलता का पता चलता है ।

इसलिए मैं चाहता हूं कि इस बिल को सिलेक्ट कमेटी में भेजा जाये, जहां इन तमाम सवालों पर विचार किया जाये और उसके फलस्वरूप एक पूर्ण कानून यहां पर लाया जाये, जिसमें जनता के मौलिक अधिकारों की सुरक्षा की गारण्टी हो, अधिकारियों की डिसक्रीशनरी पावर्स पर अंकुश हो, ताकि इस बिल का दुरुपयोग न किया जा सके, केवल शकाओ के आधार पर किसी वर्ग विशेष के विरुद्ध पक्षपात न किया जाये और इस पर अमल करने के सम्बन्ध मे जनता को कठिनाइयों का सामना न करना पड़े, इस आशय के सेफ़गार्ड्स रखे जाये ।

श्री. अ० सि० सहगल : उपाध्यक्ष महोदय, पासपोर्ट बिल, 1967 के सम्बन्ध में सबसे पहले मैं यह कहना चाहता हूं कि पासपोर्ट देने के लिये जितना कम वक्त लग सकता है, उसमे अगर पासपोर्ट दे दिया जाये, तो ज्यादा अच्छा है, क्योंकि आजकल होता यह है कि कभी कभी पासपोर्ट देने में काफ़ी वक्त लगता है और लोगों को परेशानी उठानी पड़ती है ।

जब किसी व्यक्ति को पासपोर्ट देने से इकार किया जाये, तो कम से कम लिख कर देना चाहिए कि फ़लां फ़लां कारणों से पासपोर्ट नही दिया जा रहा है । यदि कोई व्यक्ति सरकार के फैसले के विरुद्ध अपील करना चाहता है, तो वह अपील पासपोर्ट देने वाले अफ़सर से बड़े किसी अफ़सर के पास न जाकर किसी जज के पास जाये, तो अच्छा होगा । इसके अतिरिक्त यह व्यवस्था भी की जानी चाहिए कि दस दिन के भीतर भीतर इस बात का फ़ैसला कर दिया जाये कि किसी व्यक्ति को पासपोर्ट दिया जायेगा या नहीं । जब तक कोई ख़ास कारण हो, पासपोर्ट देने से इंकार नहीं करना चाहिए । शायद इस देश में ऐसे लोग होंगे, जिन की विचार-धारा आज शासन वालों से मिलती है ।

श्री रामसेवक यादव (बाराबंकी) : दाढ़ी वाले भी हैं।

श्री अ० सि० सहगल : दाढ़ी वाले हमेशा सफ़ेद रहे हैं और सफ़ेद रहेंगे। वे नहीं बदलेंगे। आज हमारे ऊपर एक आफ़त आई हुई है। और चाइना हमारे खिलाफ आज कार्य कर रहा है, पाकिस्तान हमारे खिलाफ कार्य कर रहा है। हम उन्हें यदि पासपोर्ट यहां से देना चाहते हैं तो दें लेकिन देखने में यह आता है कि यदि जाना है तो किसी न किसी दूसरे आपकी जो एम्बसीज हैं उनके जरिए से लेकर निकल जाते हैं। यह जो चीज है इस पर हम को कड़ी निगाह रखनी चाहिए और मैं आप से यह कहूं कि इस कार्य के लिए यह जरूरी है कि जो हमारा पासपोर्ट का दफ्तर है उसमें ऐसे लोग रखे जायं जिन की निगाहें इन चीजों पर खास तौर से रहें।

पासपोर्ट मना करने के लिए आप कोई न कोई कारण उसको बतायें। इस वक्त मान लीजिए आपने कोई जज मुकर्रर नहीं किया है और आप कोई जज मुकर्रर करना नहीं चाहते हैं तो आपका फर्ज है कि किन्हीं दो आदमियों का ट्रिब्यूनल बना कर उसको बतायें कि यह कारण हैं, इन की वजह से हम पासपोर्ट नहीं देना चाहते हैं।

इस में यह क्लाज 6 में रिफ्यूजल के बारे में जो है, यह मेरी राय में ठीक नहीं है इसलिए मैं चाहूंगा कि इस पासपोर्ट कानून को फिर से जो सुझाव सदस्यों ने दिए हैं उन पर गौर करके और इसमें अमेंडमेंट करके यह लाया जाय तो ज्यादा अच्छा है।

Shri Viswanatha Menon (Ernakulam): I stand here to oppose this Bill and I oppose it on principle. My learned friend here had traced the history as a result of which this Bill has had been brought forward. According to me, this Bill has been brought forward to evade the spirit of the judgment.

The Supreme Court came out with a historic judgment saying that the right of the Indian citizen to travel abroad was a fundamental right. Till, then, during the last fifteen years, a number of passports had been refused. My refusing every passport, the Central Government were acting illegally Without even an apology to the House they have brought forward this Bill seeking powers to refuse passports under this measure.

If you go through the Bill you will see that the autocratic powers of the executive are still kept intact. From the discretion given to the passport authority itself, we can see how Government are not prepared to give even an inch of freedom to the people. They want to violate the fundamental right guaranteed by the Constitution and interpreted by the Suprme Court, through this Bill.

While moving the Bill for consideration, the hon. Minister said that he wanted a judicial authority to be the appellate authority, but because of delay he was not going to introduce that provision. I could understand the spirit of it. I have been an admirer of Mr. Justice Chagla's judgment, but when Mr. Justice Chagla's has become Minister Chagla, I find that he is trying to usurp the powers of the court. We have got an independent judiciary in our country to take care of our fundamental rights. If there is no court, then what is our guarantee? Who is going to enquire about the whereabouts and antecedents of the particular person who has applied for a passport? You know the history of police verification, and you know how many youngesters are rotting all over the country without even getting a job. A similar

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thing will happen here also. It was happening formerly also when we asked for passports. Grounds like sovereignty and integrity of India, public interest and other such vague terms are put in here as reasons for refusing a passport. The words 'public interest' have also been put in here. The hon. Minister was apologetic and said that no court had defind that. I shall define it for him; public interest is Congress interest, or the interest of the Congress Party. If anybody is against the Congress, then he would not get a passport. At the same time, the smugglers, Tejas and such other people who are actual enemies of the Indian Union will get passports and they can go wherever they like. If it is said that any person is against the integrity and sovereignty of India, then it must be proved before a court of law; a mere refusal of passport by an officer is not enough. They have tried it on the question of police verification for government jobs. They have tried it by putting us in jail. They have tried at these things. Now they want to use this weapon to curb the Opposition. This will not do. My humble submission to them is do not try these tricks any more. You tried police verification in Kerala and you lost Kerala for ever. You tried the other trick of putting an Opposition party members in jail on the ground of public interest, national integrity, sovereignty—all these words were used. You were not prepared to bring those persons before courts of law. Here also you want to evade the court. At least you should have been ready to have a quasi-judicial tribunal. You are not even prepared for that.

If the Central Government have taken a decision, it is not subject to review. The Central Government is included in the passport authority. But when the Central Government take a decision, no appeal from their decision is allowed. By bringing forward such a Bill, they are pleading urgency. With all respect to Mullaji, I say there is no urgency in this case. They want to use this weapon to curb the Opposition parties. For the last 15 years, they were doing these illegal acts. Now they want to repeat them through this. We know of hundreds of cases where genuine passport applications were rejected. Here an all-powerful provision is also put in saying that no action can be taken when it is done in good faith and all that. If this provision stands, the same history will be repeated.

This Bill has been brought forward because the Supreme Court said, 'You cannot do it without a regulation'. Now in the garb of regulating freedom of travel, they are denying freedom of travel. My humble submission is if you want to have this Bill, have it in a proper form. Let it go to a Select Committee. Let us have opinion on the Bill, gather it and then formulate it properly. I say this because if the Bill as it stands is passed, I am sure the Supreme Court will certainly interfere and strike it down. I do not want to go into all the provisions because of my limited time. But I can say that if the Bill as it stands is enacted and is brought before the Supreme Court, they will strike it down. That is a sure thing.

Therefore, let the Bill go to a Select Committee. Let the Select Committee decide.

Before concluding, I want to utter a warning to Government. Tomorrow the Opposition may be sitting on the treasury bench. Then they can use the very same words 'public interest' against the party in power today. Therefore let us think over this matter at this juncture and have consultation with everybody and then bring it before the House.

Another point. I do not know why the Central Government are so anxious to have the entire power concentrated in their hands. The Congress Party has lost half the States

So why not take the State Governments also into confidence?

An hon. Member: We are not sorry for it.

Shri Viswanatha Menon: I would request Government to consult the State Governments and take into account the opinion of the States, and then formulate a Bill in the light of that. State Governments also must have the power to issue passports. We will support such a Bill. Otherwise, Government may have this type of Bill passed this time. But it is not going to get our support.

Shri D. C. Sharma (Gurdaspur): This is a very unfortunate Bill that my esteemed friend, Mr. M. C. Chagla, has brought before this House.

I call it unfortunate for many reasons. My first reason is this. You cannot have one rope to hang everybody with. You should have different kinds of rope for different kinds of necks, and for different kinds of people. I think in the first place the Government of India should have categorised different types of persons who go abroad. Who are those persons?

There are students. Do you mean to say that you want to stand in the way of those students who want to improve their qualifications and come back to India imposing upon them all these restrictions?

Then there are some migrants. My friend was talking about migrants from Ceylon. There are some migrants even now. You can have a different set of rules for them.

Then, there are some persons who go to visit their friends or relations. I may have my son in Africa, or my daughter in America. You should have a different kind of rule for those persons who go to visit their friends or relations.

Then there are some persons who go about in order that they should find facts about certain things. They need not be Government-sponsored, they need not be Government agents or Government officials. They are fact-finders for the country, and they bring them and make use of them. Do you want to subject them to this kind of harassment? I do not think that should be the case.

Then, there are certain persons who go abroad for cultural purposes. Of course, our Government also sends cultural delegations, I have no doubt about that, but there are some persons who go on their own on these cultural missions. Do you want that they should also be subjected to all the penal clauses of this Bill? I do not think so.

Then, there are some persons who go abroad for labour. What a sorry picture my country is giving at this time in the United Kingdom! What kind of conditions have we produced in the United Kingdom! I do not think any Indian can go to those places where our unskilled labour lives, and feel happy. I do not think anybody can rejoice to see how the people who belong to skilled labour class are also living.

In England the race question has now been raised. People say that the race question has been brought about by the migration of Indian unskilled labour and skilled labour, by the migration of people from West Jamaica, by the migration of people from the Caribbean Sea. You must have a different set of rules for these persons.

I am very sorry, Mr. Deputy-Speaker, that you have been elevated to this Chair, because I would have found you my foremost ally in this matter at least. What do you think of these businessmen? All businessmen are not alike, I know, for, there are some businessmen who traffick in foreign currency, who sometimes smuggle foreign currency also, and

[Shri D. C. Sharma]

who go about under all kinds of pretexts to foreign countries. You are going to hang all these persons by the same rope.

And then, the most important question that my country faces today is this, the question of brain drain. Of course, there are very few brains on the Treasury Benches just now, and therefore I can talk about brain drain. What is this brain drain?

The Minister of State in the Departments of Parliamentary Affairs and Communications (Shri I. K. Gujral): Whatever we have . . .

Shri D. C. Sharma: Please keep quite. I know what you are. I know how much brains you have.

I was submitting very respectfully that we talk about brain drain. What is this brain drain due to? Some of our finest scientists, some of our finest men of letters, go abroad and do not come back. It is because conditions there are much more prosperous than conditions here. I remember a gentleman, I forget his name, who has been given a research laboratory of his own in the United States. Fifty per cent of the Ph.Ds. from UK go to the USA. Perhaps a larger number of persons will go to the USA and other countries and even the UK from our country. You should have a different set of rules for those persons who will constitute a brain-drain from our country. I am sorry to say that you have tried to make one blanket rule for every type of person

My second point is this. You have saddled the administration with too much power and with too much responsibility, I may say, even with arbitrary power. They are the masters. Of course you will say that they will have to record their observations why they refuse the passport but recording is one thing, appealing is another thing, and the acceptance of the opinion is a third thing. Therefore, I say that these passport offices, regional passport offices in India which are homes of scandal and which have created so much unhappiness in every sense of the word, should be abolished. We talk of democratic decentralisation in this country. So, there should be decentralisation in the award of passports also and the district officer should be made responsible for issue of a passport. He should report to the E.A. Ministry or somebody the number of persons to whom he has awarded them. They should review the situation from time to time. If anybody has any grouse aganist the district authority, he should appeal to the commissioner or somebody else. I tell you, Sir, that these passport offices deserve to be abolished and all their authority taken away and given to the district collectors and commissioners, whatever they are called.

How many days do you require for the grant of a passport? Look at the number of persons who are cooling their heels outside the passport offices and look at their plight and unhappiness and sadness. If the passport is not granted, where do they go? Sometimes some persons come to me. I know that theirs is a genuine case and I write to the External Affairs Ministry and I always get a stereotyp reply. They have stereotyped replies for all kinds of questions whether on Tibet or China or Pakistan or on passport and they send you that. The district authorities should be empowered to give a passport within seven days and if the passport is refused, he should be allowed to appeal within seven days.

My last point is this. Do you want to make this country a country of racketeers, a country of passport racketeers? We have heard of so many passport racketeers. Some of our citizens were sent to Rome some years ago. Some of our citizens go abroad and they are sent back Therefore, I would say that deterrent

punishment should be given, not six months, to those passport issuing agencies, not the authorised agencies, but the so-called passport issuing people who take money from innocent people and give sometimes fake passports. So, a punishment of six months is nothing for them They should be given a more severe punishment than that

With these observations, I thank you very much

श्री राम सेवक यादव : उपाध्यक्ष महोदय, इस समय जो विधेयक प्रस्तुत किया गया है उससे मौजूदा पासपोर्ट व्यवस्था मे कोई तबदीली नही की गई है । अब तक जिस तरह से लोगों को पासपोर्ट दिया जाता था उसी को कानून की शक्ल दी जा रही है । इससे ज्यादा कुछ नहीं । इस सिलसिले मे मैं कहूगा कि सरकारी अफसरों और मन्त्रियों को छोड कर सबसे पहले अगर किसी को पासपोर्ट मिलने मे प्राथमिकता मिली होगी तो सेठों, पैसे वालो को और दूसरे नम्बर पर इस लोक सभा और राज्य सभा के सदस्यो को मिली होगी । तीसरे नम्बर पर सत्तारूढ़ दल के लोगों को, चाहे वह विधान सभा के सदस्य या लोकसभा के सदस्य हों या न हों । चौथे नम्बर पर किसी और का नाम नहीं आया है । यही अब तक की कारगुजारी इस पासपोर्ट कार्यालय की रही है ।

सुप्रीम कोर्ट ने इस पर रोक लगाई, और इस रोक के लगाने के बाद, जो कार्य अब तक चला वह आगे भी चलता रहे, इसलिये एक अध्यादेश जारी किया गया । उसी अध्यादेश को एक कानून की शक्ल में परिवर्तित करने के लिये मौजूदा विधेयक आया है । जिस शक्ल में यह विधेयक लाया गया है उससे लोगो के आने जाने में कुछ आजादी हो, रोक खत्म हो, ऐसा होने वाला नहीं है । इस विधेयक का यह उद्देश्य दिखता है कि जिस को सरकार न चाहती हो कि वह देश से कहीं बाहर जाये उसके ऊपर प्रतिबन्ध रहे ।

15 23 hrs.

(SHRI C K. BHATTACHARYYA in the Chair)

मैं आप को बतलाऊं कि अपने देश में ही हम लोगों को हर जगह जाने की आजादी नहीं है । इस देश के पूर्वी इलाके में, उर्वसीअम् में, जिस को नेफा कहते हैं, वहां भी अब तक परमिशन वगैरह न मिल जाये तब तक लोगो को आने जाने की इजाजत नहीं है । उसी तरह से जब हिन्दुस्तान का कोई नागरिक दूसरे देश को जाना चाहे, तो उसको इसकी इजाजत नही है । कैसा तमाशा है, कैसी आख मिचौनी का खेल है कि एक माननीय सदस्य को इस सदन के, एक कम्युनिस्ट सदस्य को, जब वह मेम्बर नही थे, तब आवेदन पत्र देने पर उनको पासपोर्ट नही मिला, लेकिन अब चूकि वह इस सदन के माननीय सदस्य हो गये है, इसलिये जहां चाहे जा सकते हैं । कोई रोक उनके ऊपर नही है । आप देखिये कि इन दोनो स्थितियों में कितना विरोधाभास है और कितनी नकली या बनावटी चीज आ गई है । इसी सन्दर्भ में मैं अपनी पार्टी का एक उदाहरण देना चाहता हू । मेरे जिले के खलीलुर्रहमान खां साहब के भाई रूस में हैं । वह उर्दू में तुजुर्मा करने के लिये भेजे गये । भारत सरकार ने भेजा था । वह वहा पर रह रहे हैं । वह खलीलुर्रहमान खा साहब के सगे भाई हैं । खलीलुर्रहमान खा साहब की एक लड़की वहा पढ़ रही है । वह उस लड़की से मिलने के लिये और खानगी मामलो में आपस में बातचीत करने के लिये अपने भाई से मिलने जा रहे थे । लेकिन उन को पास पोर्ट नही मिला । सारी दिक्कतें पैदा की गईं, जबकि सरकार को एक पैसा, एक धेला भी देना नही था । वह सारा खर्चा खुद देने के लिये तैयार थे । इस तरह से पासपोर्ट न देकर लोगो के आने जाने पर रोक लगाई जा रही है । यही इस विधेयक का उद्देश्य लगता है ।

इस विधेयक में साफ साफ कहा गया है कि जब पासपोर्ट अधिकारी किसी को पासपोर्ट

[श्री राम सेवक यादव]

देने से इंकार करेगा तो उसमें कारण देगा। लेकिन आगे चल कर क्या कहते हैं? अगर वह समझते हैं कि कारण देना देश के हित में नहीं है तो वह कारण नहीं देंगे। क्या मतलब? जिस को पासपोर्ट नही देना चाहेंगे वह देशहित में नहीं होगा। इसका कारण भी नही देंगे। एक तरफ कहते हैं कि कारण देंगे और दूसरी तरफ ऐसा वाक्य लिखते हैं जिससे वह कारण नही भी देंगे।

फिर आगे चल कर क्या कहते हैं? उस की अपील होगी। किस के पास जायेगी? जो अधिकारी होगा उसके पास जायेगी। वह अधिकारी अपने ही विभाग के और एक ही सरकार के अधिकारी के खिलाफ कभी फैसला नहीं देगा। अगर इस बात में कोई दम होता तो इसमें व्यवस्था करते कि किसी निश्चित न्यायालय के सामने अपीलें जायेंगी। अगर ऐसा होता तो कम से कम लोगों का इत्मीनान और भरोसा होता कि उनके साथ न्याय किया जायेगा। वह भी इस विधेयक में नहीं है। मैं कहना चाहूंगा कि जिस शक्ल में यह विधेयक आया है उसको उसी रूप में पास करने से कोई लाभ नही होगा। इसलिये इस पर पुनर्विचार करने की आवश्यकता है, चाहे वह संयुक्त प्रवर समिति में हो या और किसी प्रकार से हो। मैं चाहूंगा कि मन्त्री महोदय इस पर सोचें।

आप से मैं दूसरा निवेदन यह करना चाहूंगा कि यह अन्तर्राष्ट्रीयता का युग है। लेकिन अन्तर्राष्ट्रीयता के युग का जो यह अर्थ होता है कि जनता और सरकार दोनों स्तरों पर आदान प्रदान हो, एक दूसरे के नजदीक लोग आयें, आज उस पर रोक लगाई जा रही है। सन् 1914 तक लोगों के आने जाने पर रोक लगाने का कोई नियम अथवा कानून नहीं था, पासपोर्ट की व्यवस्था नहीं थी। लेकिन 1914 के बाद से यह चीज आ गई और रोज रोज इस पर प्रतिबन्ध लगते चले जा रहे हैं। आज की दुनिया में जब अन्तर्राष्ट्रीयता की जबर्दस्त बात चलती है, अन्तर्राष्ट्रीय मजदूर संगठन चलते हैं, अन्तर्राष्ट्रीयता की चर्चा होती है तब लोगों के आने जाने पर प्रतिबन्ध लगे, यह मेरी समझ में नहीं आता है, और मैं चाहता हूं कि वह दिन आये, और अभी आ जाये जब किसी भी नागरिक को कहीं जाने का अधिकार हो। वह जहां भी चाहे बिना किसी रोक टोक के, बिना किसी हिचक के, बिना किसी प्रतिबन्ध के जा सके। ऐसा करने के विरोध में यह कहा जायेगा कि वह जाकर कुछ इधर उधर की कार्रवाई करेगा। जहां तक इसका सवाल है, जिनको पासपोर्ट मिल जाया करता है, चाहे साजिश से ही सही, वह भी इधर उधर करते हैं। इसलिये यह तर्क नहीं रक्खा जाना चाहिये। मैं चाहूंगा कि जहां सरकारी स्तर पर अन्तर्राष्ट्रीयता चलती है, वहां जनता के स्तर पर भी उसे चलना चाहिये। हो सकता है कि किसी देश की सरकार का किसी अन्तर्राष्ट्रीय मुद्दे पर कोई दृष्टिकोण हो और जनता का या दूसरे राजनैतिक दलों का उससे भिन्न दृष्टिकोण हो। इसलिये उन को भी पूरी आजादी होनी चाहिये कि जनता के स्तर पर चीजों का आदान प्रदान करते रहें। वह दल और वह व्यक्ति किसी देश में बिना रोक टोक के आयें जायें और अपने दृष्टिकोण का प्रचार करें। मैं मिसाल के तौर पर कहना चाहता हूं कि आज हिन्दुस्तान और पाकिस्तान के रिश्ते अच्छे नहीं हैं सरकारी स्तर पर वह और भी बिगड़ते चले जा रहे हैं। हो सकता है कि दोनो देशों की जनताओं के स्तर पर यह रिश्ते अच्छे बनाये जा सकें। इसका नतीजा लाजिमी तौर पर यह भी हो सकता है कि सरकारी स्तर पर भी वह अच्छे हो जायें। संगठनों और व्यक्तियों को जहां वह लोग चाहें आने जाने की पूरी आजादी होनी चाहिये। लेकिन ऐसा लगता है कि इस विधेयक की ऐसी फैलाव वाली दृष्टि नहीं है, इस सरकार की ऐसी दृष्टि नहीं है। इस चीज को नहें नजर रखते हुए मैं चाहूंगा

कि मन्त्री महोदय और सरकार इस पर पुनर्विचार करे ।

जैसे ही सर्वोच्च न्यायालय का फैसला हुआ, वैसे ही सरकार ने अध्यादेश जारी कर दिया । इसका परिणाम यह हुआ कि इस बिल में न जाने कितनी खामियां रह गई और इस से अन्तर्राष्ट्रीयता का उद्देश्य पूरा नहीं होता । सुप्रीम कोर्ट ने जो निर्णय दिया है, उसको खत्म करने के लिये और नागरिकों के अदालत मे जाने के अधिकार को खत्म करने के लिये यह बिल लाया गया है । यह सोच विचार करके तैयार नहीं किया गया है । इसके पास होने के बाद सम्भव है, और मेरा निश्चित मत है कि सर्वोच्च न्यायालय में चैलेंज किया जा सकता है और फिर इसको रद्द किया जा सकता है । इसलिये जल्दबाजी मे कोई काम नहीं होना चाहिये ।

Shri Dattatraya Kunte (Kolaba): Sir, it was not necessary for the Supreme Court to lay down the law that travel abroad was a fundamental right, which man was enjoying since time immemorial. As a matter of fact, if we look into history, we will find that even under very difficult conditions, man has ever liked to travel and go abroad and see things for himself even suffering difficulties for it. As a matter of fact, not only this was a fundamental right which man enjoyed but autocratic rulers and others also never objected to it, because one will know that really the system of passport is a matter which has come up during the twentieth century. When nations became very conscious of the right, authority, prerogative and what not over a humble ordinary human being being the subject of their nation they wanted to control an individual functioning and going abroad. That is how the passport system came.

We are even then thankful to the Supreme Court that it has in a majority judgment at least upheld the fundamental right. Though not in a Full Bench, all judges agreeing to it, because the judgment of the Supreme Court has come, it became necessary for this Government to bring some Act on the statute-book. That is how they first made the President to pass an ordinance and now they have brought a Bill before the House.

But is this Bill really meant only to satisfy the better of the law or the spirit of the law? I am afraid this Bill does not satisfy the spirit of the law as laid down in the Supreme Court judgment but it only wants to satisfy the letter of the law. (*Interruption*). Therefore, in support of this point I would like to refer to some of the clauses of this Bill.

If we look to the definition of "passport authority" it reads like this:

> '"passport authority" means an officer or authority empowered under rules made under this Act to issue passports or travel documents and includes the Central Government;"

Now, we have other legislations like the Defence of India Act and other Acts where it is laid down that not an officer below the grade of a District Magistrate or Superintendent of Police will perform the function. Here it only means "an officer", and a law has been laid down in this very House by no less an important person than the Deputy Prime Minister who said that according to him even the Class IV servants were officers. He elevated them to that high level; I am very glad he did that. But now the Government will be free to appoint even a Class IV servant and call him Class IV Officer to do the function of a passport authority. I really do not know if it is to be laid down under the rules. But if the Government had very honest motives, why did they not come out saying what they meant by "an officer"; otherwise anyone they designate as an officer would be the passport officer. Therefore, as I was saying, they are trying to satisfy the letter of the law and not the spirit under which the Supreme Court really delivered the judgment.

[Shri Dattatraya Kunte.]

We now come to clause 4(3) of the Bill which reads:

> "The Central Government shall, in consonance with the usage and practice followed by it in this behalf

An ordinary citizen of the State would not know what that practice is. What that practice is it is not mentioned. Whatever it be, it is just like the Sanskrit saying: बाबा वाक्यम् प्रमाणम् which means "whatever the angel says is the rule. Whatever the Government has been doing, I do not know whether the hon. Minister who moved the Bill before the House did really clarify to the House what was meant by this "usage and practice" followed by the Governmen' in this behalf

Mr. Chairman: There is the other Sanskrit saying. पलायमिदम् न मम् सर्वं

Shri Dattatraya Kunte: I am obliged to you, Sir, for mentioning that. The Chair has come to my assistance by saying that because it is a rule fixed by Government it should readily be accepted.

Going a little further, clause 5(2) reads like this:

> "On receipt of an application, the passport authority, after making such inquiry, if any, as it may consider necessary

I do not know what sort of an enquiry this person is going to make For instance, has the Central Government all that staff all over the country where it can make this inquiry? What sort of an inquiry is this authority going to make? It says "as it may consider necessary". It does ont lay down what enquiry such authority ought to make. Then, in the same clause, sub-clause (3) says "furnish to that person on demand a copy of the same". It is given only on demand; it is not automatically given to him. He must make a demand for it. Even if he makes a demand, if the authority so feels, it can decide: no, I do not want to give the passport and I will not give the reasons. Therefore, the old executive authority rule, which was a sort of autocratic rule which we had as a legacy from the British Government, is being perpetuated by means of passing this legislature. This supreme House in the country is used as a means to perpetuate the autocratic rule. That is why I say that it is the letter of the law that is being satisfied and not the spirit

We wil go further In clause (6), which deals with the conditions under which a passport or travel documents could be denied sub-clause (d) says:

> "that in the opinion of the Central Government the presence of the applicant in such country is not in the public interest"

The opinion of the Central Government means, that this authority has to write to the Central Government and ask the Central Government what is their opinion about Shri Kunte going abroad and if the Central Government gives its opinion "no, he should not go abroad", that is sufficient enquiry for the purpose of this Act. The Act does not lay down how the Central Government will come to its opinion of its own. Is it going to do it in its executive authority, or in its sublime judgment or omnipotent authority, it is not made celar, as far this piece of legislation goes.

Then I am coming to clause 11. It refers to the period within which one must appeal Clause 11 says at the end "within such period as may be prescribed". The law of limitation is there. Whether the limitation is 30

days or 60 days, whatever it is, usually it is the practice in a Bill of this type to say within how much period the party should appeal. Why should it be left to the rule-making power to decide even as regards the time within which the appeal has to be filed?

Coming back to the authority, as I said, according to the Deputy Prime Minister even a class IV servant is an officer. So, he can say something as his opinion How is he going to arrive at his opinion? Is he going to arrive at his opinion by discretion or by individual judgment? If we look at the old Goverment of India Act, 1935, even in the matter of the Governor, when he had to exercise his right, the clause clearly laid down whether it was in his individual judgment or discretion I would like to know whether this authority whoever it might be is going to exercise its opinion at its discretion or on advice. Therefore, if this right is really a fundamental right a man has been enjoying since time immemorial and if this Government has any respect for the law laid down by the Supreme Court, then it ought to have been more careful in drafting this piece of legislation.

Shri R. D Bhandare (Bombay Central): Mr Chairman, having heard Shri Kunte very patiently, I must say something to disabuse his mind to whatever extent that mind could have been abused. Sir, I want to raise one fundamental question, and the question relates to the judgment of the Supreme Court itself The judgement of the Supreme Court says in a nutshell that personal liberty should not be curtailed except according to the procedure established by law in terms of article 21 of the Constitution. I think that position Mr. Kunte has accepted. But, then he says that even article 21 of the Constitution should not be made use of in passing this Bill because this Bill is not in conformity with the spirit of the judgment given by the Supreme Court. That raises a fundamental question whether the sovereign State should have the right and power to control the entry or exit of a person, whether he is a citizen of this country or a foreigner, to come in and get out of the State as and when he liked. That is exactly the point which has been weighing on the minds of authorities all over the countries when exercising the power given to the State. in passing Passport laws.

I need not repeat the simple altruistic proposition that State means also a territory. The people, the territory, the government and Sovereignty—these are the four factors which make a state. The definition of a state necessarily speaks of a territory and territory necessarily means boundary limits. In view of this fact the conflict between the sovereign state and the individual's liberty has to be taken into consideration and the sovereignty of the State must outweigh or veto individual liberty. It is therefore not only a question of the letter of the judgment but also of the spirit of the notion, the idea of the supremacy of the nation in the modern age in which we are living, we have accepted and sought to be incorporated in this Bill.

Coming to the Bill itself, is it really so arbitrary and dictatorial as to refuse permission or passport to any individual the State would like to refuse? No, Sir, it is not the case. I will come to clause 5 itself. Clause 5 speaks of natural justice. I will just distinguish betwen the exercise of arbitrary powers and the exercise of discretionary powers. Has clause 5 bestowed on the Passport Authority powers to be exercised arbitrarily or are the powers discretionary? The powers are necessarily discretionary powers because an inquiry must be held, and reasons must be assigned for refusal. My hon. friend, Shri M. R. Masani has spoken specially or article 14 of the Constitution. Article 14 of the Constitution speaks of

[Shri R. D. Bhandare]

natural justice and equal treatment. When the law has to be exercised according to the discretionary power, then the nation of natural justice is necessarily introduced. Natural justice connotes that the party is heard—right of hearing is given—reasons are assigned and power to appeal is given. If it is the position under clause 5 then all the notions and norms under natural justice are introduced and accepted. Therefore under clause 5, the notion of natural justice is introduced and the authority is not allowed to exercise the power arbitrarily.

Shri S. Kandappan: Appeal to the executive is no appeal.

Shri R. D. Bhandare: There is distinction between arbitrary exercise of power and discretionary exercise of power. Let me make the point clear. As soon as the Opposition talks of discretionary exercise of power, they necessarily accept the notion of natural justice. The notion of natural justice connotes opportunity to be heard, reasons to be given and the right to appeal Then the discretionary power is exercised according to the notions of natural justice. Therefore the Opposition has no case. They have always in their argument referred to and alluded to the discretionary power under the present bill.

Shri Nath Pai (Rajapur): You are holdig the Devils brief.

Shri R. D. Bhandare: I am rather holding the brief of the nation a nation which would like to regulate the entry and exit of a person uder this Bill.

Then, under clause 11, there is also the power of appeal. Further, urder clause 15, no proceedings could be taken without the sanction of the Central Government. This right in the nature of review is also given. (*Interruption*). Of course, there is the Constitution and we should never be oblivious of Article 226 which gives full power to question the Executive. The power to appeal remains there. The inherent power vested in the High Court could be exercised in favour of the individual.

Shri Seshiyan (Kumbakonam): Why don't you recognise that in the Act itself?

Shri R. D. Bhandare: Because this is an excutive Act.

Mr. Chairman: The hon. Member may conclude now.

Shri R. D. Bhandare: Let us not run away with the idea that the Government has come forward with this Passport Bill in order to only to deprive the Opposition from going abroad and not those persons whose movements must be controlled and curbed.

Shri Srinibas Misra (Cuttack): Mr. Chairman, Sir, before the judgement of the Supreme Court, the Government was exercising powers arbitrarily without any legislation. It is after the judgement of the Supreme Court which recognises the right of citizen to go out that this legislation has come before the House. By bringing forward this Bill, the Government has simply tried to reserve to itself the same right that was with them before the judgement of the Supreme Court.

I am beginnig from the point where my hon. friend, Mr. Kunte left. It

has been said that some rights have been given. I would presently show that all the rights that seem to have been given are illusory. There is the right of appeal. The right of appeal is not given to persons against whom the Central Government have passed an order. In this whole Act you will find that the Central Government is given the authority to pass orders. The Central Government can say whether they are satisfied that somebody should go outside or not. The Central Government will authorise officers to search and arrest a person. They will lay down the conditions for the issue of a passport. They will provide for the rules. All these powers are given to the Central Government. What can the Central Government do? The Central Government may, by notification in the Official Gazette, direct that any power which may be exercised should be performed by such officer or authority subordinate to the Central Government, by any State Government or any authority under the State Government.

So, the Central Government can delegate these powers to their subordinates and even the power under clause 11 which gives power to appeal and also the power to pass orders can be delegated to others. Thus, even third-rate officers who are at the bottom can pass orders as Central Government orders against which no appeal lies. Under this delegated provision, what has been done is that whatever is done by somebody as Central Government, under delegated power, is not subject to appeal. So, while there is so much provision for appeal, actually there is no provision for appeal for at all. There is no question of natural justice there. You will find this in the other provisions also. The Central Government will make provisions for the conditions; they will lay down the conditions in the passport. Who is the Central Government again? The Central Government can be any officer under the Central Government or the State Government. Any third class magistrate can act as the Central Government for laying down the conditions. The breach of any of these conditions will entail the forfeiture and seizure of the passport and harassment to the persons. Everywhere, in respect of almost all the clauses, in clauses 4, 10, 11, 13, 14 and 15, anybody can be authorised by anybody, not the Central Government. So, where is the provision that the discretionary power will be used according to natural justice? This is an arbitrary power; there is no question of natural justice there My conclusion, therefore,, is that whatever was there previously, simply by a cloak they want to get the sanction of this hon. House; they want to exercise the same powers by saying that they have an Act and that they have the authority of the Parliament.

Shri Tenneti Viswanathan (Visakhapatnam): Reasons have been advanced why an Act like this should not get the sanction of this House. We have been reading in our literature all along that, to complete the education, one has to go round the world. But our Government does not seem to agree with that age-old proposition. It looks as if this Government is of the view that it should control the citizens in such away that they shall be confined to the country in which they are born and for ever be condemned never to travel outside India unless somebody in the Secretariat is pleased to allow them to go.

It has been said here by an hon. friend Opposite that the powers taken here under the Bill are not arbitrary. Let me submit to you that they are completely arbitrary. In the first portion of clause (5) it is said that the reasons for the denial of passport are to be given, but at the end it is said, that the reasons need not be disclosed to the applicant if in the opinion of the Central Government it will not be in the public interest to give reasons. Therefore, the whole thing is illusory. Consequently, the right to appeal is also absolutely illusory. What else do you require to say that this is a lawless law? Why does the Government want

[Shri Tenneti Viswanathan]

to confine its citizens in this way. I can understand if for statistical purposes or for regulatory purposes, they have some power to issue passport, but the issuing must be a matter of course. Unless the person who applies for a passport, who wants to go out, endangers the security of India, he should be entitled to go,, provided he has money or provided the present foreign exchange regulations allow him some amount of foreign exchange. To travel in or out of the country is a fundamental right. If it is a fundamental right to move throughout the whole territory of India, to move wherever he wants to go, it must also be equally a fundamental right for a person to go outside India and there is absolutely no reason why it should be under the complete control of the Central Government.

As I submitted, the applicant need not be given the reasons why the Central Government is refusig to give him a passport. The Central Goverment means that it may be an office Superintendent finally; it boils down in brasstacks to this; seeing the practices in the Secretariat, it means that some Superintendent or somebody will say that the applicant should not go and then the Government issues an order. What else do you require to say that these are arbitrary powers? Let yours be a natural Government; let there be natural justice. The citizens would like to go about, give them the facility to go round and see the world. Do not have them so much under your control. What I submit, therefore, is that this Bill should be withdrawn by the Government. They must frame a sound law for the ordinary purpose of regulating the travel of people outside India. To that extent, we agree that there must be registration, there must be statistics and Governmen must konw where the citizens are going, but to have more powers above that, certainly amounts to arbitrariness. I submit that this Bill should not be allowed to be passed in the present form.

श्री इन्द्रजीत यादव (आजमगढ़) : माननीय अधिष्ठाता महोदय मैं, समझता हूं कि यह विधेयक जो सदन के सामने पेश किया गया है इस में मख्य रूप से हर नागरिक का यह अधिकार होना चाहिए और उस की मान्यता कर के सरकार को चलना चाहिए कि अगर कोई पासपोर्ट चाहता है विदेश में जाने के लिए, तो उसे पासपोर्ट दिया जाना चाहिए, जब तक कि कोई ऐसा विशेष कारण न हो जिस में विशेष परिस्थितियों में अगर उस से कोई राष्ट्रद्रोह का खतरा है या फारेन एक्सचेंज की बहुत बड़ी कठिनाई पड़ रही है जिस में कि प्रार्थी सरकार को सन्तुष्ट करने में सक्षम नहीं है ऐसी हालत में ही केवल पासपोर्ट के रिफ्यूजल का अधिकार सरकार के पास होना चाहिए, अन्यथा पासपोर्ट हर नागरिक को मिलना चाहिए। मुझ इस बात की प्रसन्नता है कि हमारे विदेश मंत्री ने इस सदन के सामने इस बात का आश्वासन दिया है कि किसी राजनैतिक भेदभाव के कारण किसी को पासपोर्ट इन्कार नहीं किया जायेगा। मैं समझता हूं कि इस बात का निर्देश, हमारे इस बिल के अन्दर होना चाहिए अन्यथा सदन के अन्दर का आश्वासन उस वक्त नहीं आयेगा जब हमारा कोई भी पासपोर्ट अधिकारी इस बात पर किसी को भी पासपोर्ट देने से इनकार करेगा। वाद-विवाद में जो सब से बड़ा डर एक्सप्रस किया गया है वह पिछले पन्द्रह बीस साल के अनुभव के आधार पर है। अनुभव यह है कि पासपोर्ट देने में आवश्यकता से अधिक विलम्ब किया जाता है। पासपोर्ट लेने में बहुत अधिक परेशानी का अनुभव करना पड़ता है। श्रीमन्, मैंने देखा है कि बहुत से प्रतिनिधि मंडल में जाने वाले हैं। कल उन को जाना है और आज 24 घंटे पहले उनको इनकार कर दिया जाता है कि आप को पासपोर्ट नहीं मिलेगा। अब न तो समय रहता है कि वह अपील कर सकें और ऐसी हालत में बहुत से लोगों को प्रतिनिधि मंडल में भाग लेने से वंचित होना

पड़ता है। मैं समझता हूं कि इस बात की पूरी मस्तैदी से व्यवस्था हो कि किसी भी हालत में पासपोर्ट इनकार नहीं किया जायेगा और इनकार किया जायेगा तो उस को पूरा समय होगा कि वह उसकी अपील कर सके। मैं समझता हूं कि हमारे विधेयक में इस बात की भी व्यवस्था होनी चाहिए कि जिस के पासपोर्ट को इनकार किया जा रहा है उस के इनकार करने से पहले उस को बुलाकर यह बताया जाना चाहिए कि यह कारण है कि जिस की वजह से आप को पासपोर्ट नहीं दिया जा रहा है। अगर प्रार्थी पासपोर्ट अधिकारी को सन्तुष्ट कर देता है तो उसे पासपोर्ट दिया जाना चाहिये अन्यथा इस बात का अनुभव है कि मामली पुलिस की और सी० आई० डी० की रिपोर्ट के ऊपर पासपोर्ट नहीं दिया जाता है। और जैसा माननीय राम सेवक यादव जी ने यहां कहा है कि यह सचमच एक विडम्बना सी लगती है कि एक आदमी को आज पासपोर्ट इनकार किया जाता है और कल वही पार्लियामेंट का या विधान सभा का सदस्य हो जाता है तो उस को देशभक्ति का भरोसा हो जाता है, उस को इस बात का अधिकार हो जाता है और उस को पासपोर्ट मिल जाता है। इस प्रकार की विडम्बना का अन्त होना चाहिए।

एक बात और कह कर मैं खत्म करता हूं। मैं इस बात से सहमत नहीं हूं कि पासपोर्ट के अधिकारी के हर रिफ्यूजल के बाद न्यायालय में अपील का अधिकार होना चाहिए। इस प्रकार की व्यवस्था किसी भी देश में नहीं है, न समाजवादी देशों में है न पूंजीवादी न किसी प्रजातान्त्रिक देश में है और मैं समझता हूं कि इस में प्रार्थी को खुद दिक्कत पैदा होगी, लेकिन अगर सेंट्रल गवर्नमेंट किसी के पासपोर्ट के अधिकार को छीनती है और उसको पासपोर्ट नहीं देती है तो ऐसी हालत में उसको अधिकार होना चाहिए कि केन्द्रीय सरकार के रिफ्यूजल के खिलाफ न्यायालय में जा सके क्योंकि उस के बाद फिर कोई चारा नहीं रहता। वहां न्यायालय में केन्द्रीय सरकार भी अपना पक्ष रखे और प्रार्थी भी अपना पक्ष रखे। अगर न्यायालय इस बात पर सन्तुष्ट हो जाता है कि कोई विशेष कारण नहीं है उसे पासपोर्ट इनकार करने के लिए तो उस को पासपोर्ट दिया जाना चाहिए।

16 hrs.

श्रीमन्, एक बात और कहना चाहता हूं। इस वक्त जिस बात को इस सदन के अन्दर बहुत मजबूती के साथ रखा गया है मैं समझता हूं उस के ऊपर हमारे मन्त्री जी को इस सदन के अन्दर एक बार इस बात का फिर आश्वासन देना चाहिए कि किसी भी व्यक्ति को राजनीतिक भेदभाव के कारण पासपोर्ट इनकार नहीं किया जायेगा और नम्बर दो किसी भी बाहर देशों के अन्दर प्रतिनिधि मंडल या किसी सम्मेलन के अन्दर भाग लेने वाले व्यक्ति के लिए पासपोर्ट की हर सहूलियत दी जायेगी, उस को इनकार नहीं किया जायेगा।

तीसरी बात, पासपोर्ट का जो तरीका है, कानून है, उस को सरल बनाना चाहिये, अन्यथा इस में बड़ी दिक्कत पैदा होती है। मैंने बारबार देखा है कि विद्यार्थियों को, बाहर जाने वाले प्रतिनिधि मंडलों के सदस्यों को पासपोर्ट लेने के लिये पचासों बार दफ्तर के चक्कर काटने पड़ते हैं। इस लिये उन का तरीका और नियम है, उस को सरल बना चाहिए।

इन शब्दों के साथ मैं आशा करता हूं कि हमारे मन्त्री जी इस पर विचार कर के इस के लिये ठीक व्यवस्था करेंगे।

Shri B. Shankaranand (Chikodi): No one who has gone through the judgment of the Supreme Court in petition No. 230 of 1966 will say that this Bill has been introduced to give a go-bye to that judgment. I would quote a portion from that judgment:

"It follows that under art. 21 of the Constitution, no person can

[Shri B. Shankaranand]

be deprived of his right to travel except according to the procedure established by law. It is not disputed that no law was made by the State regulating or depriving persons of such a right".

When there is no law, it is for Government to introduce such a law to make it convenient for Government to regulate the rules cocerning passport laws. This is what they have done.

The Opposition is attacking this Bill because it gives no remedy by way of appeal against refusal to appeal to the courts. It can be seen that people go abroad for good or for bad reasons. Here I will again quote from the judgment:

"A person may like to go abroad for many reasons. He may like to see the world, to stay abroad, to undergo medical treatment that is not available in our country, to collaborate in scientifis research, to develop his mental horizon in different fields and such others. An executive arbitrariness can prevent one from doing so and permit another to travel merely for pleasure. While in the case of enacted law one knows where he stands, in the case of an unchannelled arbitrary discretion, discrimination is write large on the face of it".

Suppose a person wants to go abroad with an ill motive against the Government or the people of this country. Suppose a person wants to go abroad to evade punishment under the law. It is in the interest of the country in such cases that he should not be allowed to go abroad. After all what is liberty? Liberty with reference to the context of this Bill means liberty depending on the length of his purse. A poor man cannot go abroad. It is the man who has the financial means and capacity who can go abroad. This law is made applicable to him. If a person wants to go abroad to commit an act against the country or the interests of the country and seeks a passport for that purpose, it is natural for Government to refuse that. Therefore, it is necessary to regulate it. Hence the need for this Bill.

Much has been said against the remedies provided in the Bill. Clause 11 gives the remedy by way of appeal against so many acts for refusing a passport. The Government or the executive must have certain powers to curtail the liberty of a person who is not using that liberty for the purpose of the good of the country, or the good of the people. For such a person, this law is quite essential. In the present context, this Bill is necessary and I think the House should support it.

Shri Surendra Pal Singh: I am very grateful to the Members who have participated in this debate. A very large number of points and suggestions were put forward by many speakers. I have not got the time at my disposal to refer to all of them. I will therefore refer to only some of the main points which have been made by practically all the speakers. And I will do my utmost to satisfy members in regard to them.

The main demand which has been made by practically all the speakers here has been that because this Bill is a very important one and is of a controversial nature, it should be referred to a Select Committee where all the points and amendments which the hon. members may have can be thrashed out and this can be made a better and more comprehensive Bill. Under normal circumstances, the Government will have no objection to refer this Bill to a Select Committee if there is a demand from the members.

Shri M. R. Masani: We are demanding it now.

Shri Surendra Pal Singh: I am going to explain that the difficulty is that of time. The hon. Member knows that the ordinance which this Bill seeks to replace will come to an end on the 2nd July, and if it is not replaced by an Act of Parliament what will happen is this, that there will be no law whatsoever, and the Government will have no control on the issue of passports, or the Government will have to come forward with another ordinance. Both the contingencies are undesirable. So, it is not possible to refer the Bill to a Select Committee. However, I can give an assurance that all the points that have been raised here will be taken note of and kept in mind at the time when we review the working of this Act, and if ever it becomes necessary to amend the Act in the light of our experience, we will come before the House with amendments.

Another criticism which has been made is that this Bill has been brought forward to bypass the judgment of the Supreme Court or to evade the spirit of the Supreme Court judgment. That is not quite correct, I will say this Bill has been brought forward in compliance with the directions of the judgment itself, because the judgment has clearly said that every individual has a right to travel abroad as laid down in article 21 of the Constitution, unless that right is curbed by some procedure established by law, and this is exactly what this Bill seeks to do. As there was no law, we had to bring this Bill.

Shri S. Kandappan: You are only codifying the arbitrariness that existed before. As long as you are going to keep arbitrary powers with you, you are not respecting the spirit of the judgment.

Shri Surendra Pal Singh: I can assure you there will be no arbitrary use of these powers at all.

Shri S. Kandappan: It is writ large on the Bill.

Shri Surendra Pal Singh: A criticism has been made that in certain circumstances when a passport is refused, revoked, cancelled or impounded, reasons may not be given. ordinarily, reasons will always be communicated to the aggrieved party, but in certain exceptional cases where the security of the country and such things are involved, the reasons will be withheld to safeguard the sovereignty of the country, its security and friendly relations with other countries.

Shri S. Kandappan: How will security be violated?

Shri Surendra Pal Singh: Even in coming to a decision to refuse a passport government's decision is based on good evidence. Government has its own machinery to come to its own conclusions, but as the evidence and the machinery which gives the information to the Government on the basis of which they come to such decision is of a confidential nature, it will not be proper or in the public interest to disclose the source from which Government receive the information. On these grounds, and on very rare occasions, the reasons will be withheld. Otherwise, practically in all the cases the reasons will be given.

Shri M. R. Masani: Here you must make a distinction. There is a distinction between giving reasons and disclosing your source. You can give the reasons without disclosing the source.

Shri Surendra Pal Singh: The difference is very subtle. It is very difficult to give the reasons and not disclose the source. I may say one thing, and the other person will say on what grounds do you base your judgment, then I will have to disclose the source.

Shri K. Narayana Rao: The Constitution makes a distinction between facts and grounds in article 22. Even in a situation where a person is de-

[Shri K. Narayana Rao]

tained under the Preventive Detention Act, the grounds have to be given, though the Government have been empowered not to disclose the facts. So, it is still possible to make a distinction between facts and grounds. The Government can certainly withhold facts and communicate the reasons. I do not find any difficulty for the Government to make distinction like this.

श्री अ० सि० सहगल : स्प्रिट आफ ला क्या है, यह तो आप अपने खयालात में जाहिर कीजिये ?

श्री सुरेन्द्रपाल सिंह : स्प्रिट आफ ला यह है कि बाहर जाने में आपके रास्ते में दिक्कत नहीं होनी चाहिये और हमारी यह कोशिश रहेगी कि दिक्कत न आये । उसी स्प्रिट को हम फोलो कर रहे हैं ।

Mr. Masani had objected to the use of the word 'friendly relations' and said that no refusal should be made on this ground. There are a number of cases where people did go abroad and what they did or said ultimately spoiled our relations with the country they visited or some other country with which we have had happy relations. This has been our past experience. We want this power so that we can go into the antecedents and the background as are known to the Central government and if we feel that a person going to a certain country is likely to prejudice our good relations with that country, government should have power to put some restriction and that is why this has been inserted here.

There has been a demand from practically all the speakers that the appellate authority should be a judicial tribunal and not an executive authority otherwise it will be an appeal against the order of one executive officer to another executive authority. The appellate authority that is going to be appointed under this Bill will not be subordinate to the passport authority at all; it will be quite independent of that and we propose to appoint a person who has a legal background and training. We have every hope that that authority will act in an independent manner.

Shri M. R. Masani: If it is going to be part of your Ministry, it is no use.

Shri Surendra Pal Singh: It will be under the Ministry, but independent of the passport authority . . . (*Interruptions*). If we refer all these appeals to the judicial authority, judicial tribunal, the applicant himself will be put to a lots of inconvenience. We all know the functioning of the courts; the delays are well-known to everybody. Then it has to follow a certain procedure.

Shri Sezhiyan: The same argument would go to abolish all the courts.

An hon. Member: You can hang all the judges.

Shri Bal Raj Madhok (South Delhi): You must lay down some time limit that when an appeal is filed, the appellate authority should give his decision within a particular time. The public are harassed by long delays. No answer is given. You may fix a time limit of, say, seven days or ten days, within which the reply is to be given. If a new endorsement has to be made, it has to be done within a particular time. That will avoid much of the harassment.

Shri Surendra Pal Singh: That can be done; there will be no harassment to the public. We cannot lay down a time limit in the Act itself. But administrative instructions will be issued to see that there is no harassment or delay and that the cases are dealt with and disposed of as expeditiously as possible. I can assure the House on that account.

Shri Shri Chand Goel (Chandigarh): Can you make a provision in the rule that if an application is not disposed of within a week or ten days, the applicant can assume that the passport had been granted. That will be a good guarantee that delays would not occur. Good intentions and promise to issue instructions would not satisfy the public or save them from harassment.

Shri Surendra Pal Singh: All these things are laid down in detail in the rules and the rules will come before the House. The hon. Members will have an opportunity to scrutinise those rules; they can modify them. All these things can be discussed at that stage. They could not be provided for in the Act itself If there is any objection, they will be gone into and suitable modifications will be made, if the House so wants. But I think that is a matter which should be left for a suitable time in future when the rules are framed and discussed.

16.15 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Shri P Ramamurti (Madurai): One can go in appeal and refute the arguments only when the grounds are stated. How can he make an appeal when the grounds for refusal are not stated? After all, the evidence on which you do that, is not there. What is the meaning? He can go and only say, "Please reconsider." A wonderful appeal you have provided! You do not allow them to refute the evidence.

Shri Surendra Pal Singh: There are only very few cases like that. In a large number of cases, they will have every chance to go in appeal.

Shri P. Ramamurti: The reasons should be given.

Shri Surendra Pal Singh: It is only in very few cases that such a contingency will arise.

Shri P. Ramamurti: In those cases in which he is going to be refused, will you supply him with evidence so that he can refute the evidence? Otherwise, what is the meaning of an appeal?

Shri N. C. Chatterjee (Burdwan): Unless you give the grounds, what is the use?

Shri P. Ramamurti: It will become fictitious.

Shri Surendra Pal Singh: On the grounds of sovereignty of the country, security of the country, etc., I am afraid the reasons will not be given in those cases But there will be only very few cases like that.

Shri P. Ramamurti: But those few cases are important ones. For political affiliations, you are going to deny the issue of a passport. And if the person does not get an opportunity to make an appeal stating the reasons, what is the meaning of this provision for appeal? It becomes frivolous.

Shri Surendra Pal Singh: I can assure hon. Members that no harassment and no delay or difficulty will be caused on the grounds of politics or on the grounds of political affiliation.

Shri P. Ramamurti: Remove that clause for appeal and not waste the expenditure on an officer who does nothing but rubber-stamp the orders.

Shri Dattatraya Kunte: The hon. Minister knows that assurances on the floor of the House are not binding or have any validity at all.

Shri P. Ramamurti: If the evidence is not given, the appointment of an officer is a waste of public money. You can very well abolish that post.

Shri Surendra Pal Singh: It is true there may be difficulties in some cases, but I can assure you that no passport will be refused on grounds of an individual affiliation to any particular political party. I think reference was

[Shri Surendra Pal Singh]

made by an hon. Member from the DMK party who said that for going to Ceylon, etc., the passport was refused to a D.M.K. man. I can say that we will never refuse a passport on grounds of politics.

Shri Sezhiyan: We do not know on what grounds it was refused.

Shri Surendra Pal Singh: There are other considerations, each application is scrutinised and studied on its own merits and then the matter is decided.

Shri Viswanatha Menon: Even the delegation going to a conference outside was refused passport The All-India Trade Union Congress representatives were refused passport. I will give you hundreds of examples.

Shri Surendra Pal Singh: It is not within my knowledge. There must have been some very valid reasons for them to do that, which I do not know.

Shri P. Ramamurti: In 1952 I was refused a passport.

Mr. Deputy-Speaker: I suggest that the hon. Minister be allowed to continue without interruptions.

Shri Surendra Pal Singh: We will try our very best to see that such considerations do not come in the way of issuing a passport, and we will see that passports are issued as quickly and as expeditiously as possible.

Shri N. C. Chatterjee: Real appeals, not fraudulent appeals, not make-believe appeals, not eye-wash appeals. They will be only successful provided you give the man in writing the grounds on which the passport is refused, so that he will have the opportunity of refuting the grounds. Otherwise, you declare him *persona non-grata*. He does not now what it is. It is not fair. An opportunity should be given to defend himself and to refute the arguments put forward against him; he must put forward the cogent grounds.

Secondly, we appeal to the hon. Minister that there should be a time-limit, so that he will know when the time-limit expires. The man should be in a position to know that there is something against him. You should proceed on that basis.

Shri Surendra Pal Singh: As regards time-limit, that can be considered. I agree. We shall do everything possible to streamline the whole machinery to see that passport is issued at the earliest possible time. We can lay down the time-limit. That is a very good suggestion, which we should consider. Everything would be done to expedite the issue of passport, without any delay taking place.

Shri S. Kandappan: It is a fact that whenever the DMK leaders apply for a passport to go to Ceylon particularly, it is seldom given. It is seldom a repeat that they get a passport.

Shri Surendra Pal Singh: I do not know anything about issuing of passport to the DMK Members. If the hon. Member would write to me, I shall see.

Shri S. Kandappan: It is not a question of my going. What I say is a general norm should be fixed and followed.

Shri Surendra Pal Singh: All that I can say is that a passport will not be refused on political grounds. You must have faith and trust in the Government that it would behave in a responsible manner.

Shri C. Chittybabu (Chingleput): Is it not a fact that a passport was refused to Mr. Karunanidhi, who is PWD Minister in Madras now?

Shri Dhireshwar Kalita (Gauhati): A passport application was made 3

months ago by Dr. Ajit Singh of Gauhati. He wanted to see his sister lying ill in London. For three months, no reply has been given to him. How can we believe the minister when he says that the applications will be disposed of quickly after scrutiny? Not even a reply has been sent to this man who applied for a passport 3 months ago.

Shri Surendra Pal Singh: All these are administrative matters for which provision cannot be made in the Act itself. We will do our best to streamline the whole procedure and see that no delays take place. But it is difficult to lay down any timelimit in the Act, because the applications will be varying in nature. They have to be scrutinised and if necessary further enquiries have to be made. All applications cannot be disposed of in 7 or 8 days. No Such time-limit can be put in here. All I can say is, everything will be done from our side to see that no undue delay takes place and no harassment is meted out to the applicants. Beyond that, it is very difficult to give any assurance.

The point has been made that prior to the Supreme Court judgment, the Government of India had been acting in an arbitrary manner and if this Bill is passed into an Act, enourmous powers will vest in the hands of the executive and it will continue to act in the same arbitrary manner. I will quote a few figures to indicate that the Government has not been acting is an arbitrary manner in the past nor is it the intention of Government to continue to act arbitrarily in future in the matter of issuance of passports. In future the performance will be better than in the past. In 1964—I do not have the actual number of applications made—but the rejections were only 2.5 per cent, which goes to show that Government does not act in an arbitrary manner. We try to give the passports as quickly as possible. Only in certain cases, in the interests of the security of the country, Government has to have certain special powers to control and regulate certain persons going out of the country.

Shri S. Kandappan: What about people who swindle foreign exchange? There is no provision in the Bill that such kinds of obnoxious activities will be curtailed.

Shri Surendra Pal Singh: If there is any definite allegation or complaint filed in a court or if there are any summons or warrant of arrest against any person, passport will not be given. But if there are no definite charges or allegations in a court of law, naturally we cannot refuse passport. Sometime back it was said that we gave a passport to Mr. Dharma Teja and he managed to get out of the country. The fact of the matter is when Mr. Dharma Teja left the country, there were no charges against him. He was completely free to go out.

Shri S. Kandappan: What about accounts in foreign banks?

Shri Surendra Pal Singh: If it is not brought to our notice, how can we find out? If there are no charges, we cannot refuse a passport merely on suspicion. There has to be some definite charge or order of a court.

May I, Sir, once again express my inability to answer all the points that have been raised here. A number of points were raised and it will not be possible to answer all the points at this stage. I have covered the main points that were raised by hon. Members. I can only say that hon. Members should have some patience with us, they should allow us to give a trial to this Act and see how it functions. I can only give this assurance that if we have any difficulty later on, in the light of the experience that we gain in future, we might come forward before the House with suitable amendments, and the points that hon. Members have suggested will be borne in mind and due consideration will be given to them.

[Shri Surendra Pal Singh]

With these words, Sir, I commend the Bill for the consideration of the House

Mr. Deputy-Speaker: There is an amendment to the motion for consideration. I shall put that to the vote of the House. The question is:

"That the Bill be referred to a Select Committee consisting of 15 members namely, Shri Hem Raj, Shri Kameshwar Singh, Nawabzada Syed Zulfiquar Ali Khan, Shri Krishnan Manoharan, Shri Samarendra Kundu, Shri Bal Raj Madhok, Shri Vikram Chand Mahajan, Shri K. Ananda Nambiar, Sirdarni Nirlep Kaur, Chaudhari Randhir Singh, Shri Gajraj Singh Rao, Shri Diwan Chand Sharma, Shri Prakash Vir Shastri, Shri G. Viswanathan and Babu Sri Chand Goyal; with instructions to report by the 30th July, 1967." (53).

The motion was negatived

Mr. Deputy-Speaker: I shall put the original motion now. The question is:

"That the Bill to provide for the issue of passports and travel documents, to regulate the departure from India of citizens of India and other persons and for matters incidental or ancillary thereto, as passed by Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: The House will now take up the Bill clause by clause. The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Mr. Deputy-Speaker: Then we come to clause 3.

Clause 3—*(Passport or travel documents for departure from India).*

Shri K. Narayana Rao: Sir, I beg to move:

Page 2,—

after line 9 insert—

"(2) Notwithstanding anything contained in sub-section (1), the requirement as to passport or travel documents shall not be applicable to those persons who are privileged to dispense with passports and travel documents under International Law and the comity of family of nations." (11).

The provision as it stands is absolutely terse. It looks as though any person who leaves India without a possport would be brought within the purview of this Act. It may be quite possible taht under International Law, International Conventions and International Comity certain heads of States may not be required to carry passports at all and they may go without there being any insistence on the possession of a passport. Even though I quite well see that there is a possibility of exemption under clause 25 of the Bill, it depends upon the whims and fancies or the discretion of the Central Government. Therefore, I have brougt this amendment to see that those people who are entitled under the norms of international conventions be exempted from the requirement of possession of passport

Shri Surendra Pal Singh: Sir, I do not accept it.

Mr. Deputy-Speaker: I shall put it to the House.

Amendment No. 11 was put and negatived.

Mr. Deputy-Speaker: The question is:

"That clause 3 stand part of the Bill".

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4.—(*Classes of passports and travel documents*).

Shri K. Narayana Rao: I beg to move:

Page 2, lines 31 and 32,—

omit ", in consonance with the usage and practice followed by it in this behalf," (12).

This amendment does not involve any principle. It is only an improvement of the draft. The reference to usage and practice should have found a place in the rules and not here We should not introduce an element of rigidity in the legislation. So I want this to be deleted.

Shri Surendra Pal Singh: I do not accept the amendment.

Mr. Deputy-Speaker: I will now put amenment No. 12 to the vote of the House

Amendment No. 12 was put and negatived

Mr. Deputy-Speaker: The question is:

"That clause 4 stand part of the Bill".

The motion was adopted.

Clause 4 was added to the Bill

Clause 5—(*Applications for passports, travel documents, etc. and orders thereon*).

Shri Nambiar (Tiruchirappalli): I beg to move:

Page 3, line 9,—

for "such inquiry, if any, as it may consider necessary".

substitute "formal inquiry about the identity and correctness of the details of the entries and being satisfied" (40).

Now sub-clause (2) of clause 5 reads as follows:

> "On receipt of an application, the passport authority, after making such inquiry, if any, as it may consider necessary shall, subject to the other provisions of this Act, ..."

The term "such inquiry, if any, as it may consider necessary" is very vague; it is ambiguous; it may mean anything. The officer is vested with very wide powers. He may or may not make an inquiry; it is so vague. This provision gives wide scope for all sorts of malpractices. Therefore, I want to make the provision specific, correct, apt and legal. So I am suggesting the substitution of these words by the words "formal inquiry about the identity and correctness of the details of the entries and being satisfied". Suppose my name is given as Anandan Nayar, instead of Anandan Nambiar or my father's name or my district is given wrongly, he should correct them. If, instead of Khadilkar, the name is given as Khadolkar, the passport authority should have the right to check up the correctness of the entry. Similarly, he can check up the identity of the person. There may be one K. N. Nayar whose father's name may be K. K. Nayar. But there may be so many oher K. K. Nayars. So, the correctness of the identity can be checked up and cleared. That is all the purpose of the inquiry. What other inquiry can he make? After all, he is only a passport authority; he is not a police officer.

Shri Vishwanatha Menon: He can see whether the face corresponds to the photo.

Shri Nambiar: Yes, that also can be done.

He is the Passport Officer; he is not a police officer. He cannot say that so-and-so is bad in his behaviour etc.

Shri C. C. Desai (Sabarkantha): He invariably sends it to the police officer.

Shri Nambiar: Yes. Then, the whole thing is underlined here. This passport authority is a person who is in name only, who is only the sealing man. He has no authority.

Then, the construction of the clause is like this.—

> "shall subject to other provisions of this Act by order in writing".

He is the authority to decide whether to reject or grant passport. It is on his authority and under his signature that the whole thing is to happen. Therefore I say that if the fundamental right of a citizen to obtain a passport is guaranteed then he has only to see that the person who has applied is the correct person etc. The other details are there in the other clauses. Let the other clauses come into being and let it take its own course. Let the passport authority not be given more powers than are required in the beginning stage. The other powers which are required according to my amendment are formal inquiry about the identity and correctness of the details of entries and that he is satisfied about those entries etc. Only that can be there.

Why I am moving this amendment is because we have seen that this granting of passports has become more or less a farce. It has become a matter of whims and fancies of certain officers controlled by the Ministry

An hon. Member: Scandalous

Shri Nambiar: I have my own experience. Even though I was a Member of this House I was refused a passport. When even a Member of Parliament has no right to get a passport, I do not know what about the citizen. A Member is considered to be a little more than a citizen; at least, we are representing about a million people. My passport application was rejected. Of course, subsequently when I went to the hon. Minister personally and begged of him rather then only I could get the passport. This was my own case. I do not know how many cases hon. Members may know or may not know. Therefore there must be a criterion as to when and how you should give a passport. In that, I submit, political considerations should not come at all. If one belongs to a party, say the Communist Party, which is not in the good books of the present regime, they may not reject it. I have got a case which I think I have told the hon. Deputy Minister about and I do not want to quote it now because he has not yet examined the case. A person who comes from my district, a Muslim, a very decent gentleman applied for a passport to go and visit his own relatives in Malaysia and other places, formerly also Burma, and this was rejected. Nobody knows the ground.

Shri Surendra Pal Singh: We know the grounds.

Shri Nambiar: That is not at all communicated. The Passport Officer only says, "Reject". He does not give the reason. If you insist on knowing the reason, you are shown the way out. He says, 'Please go out"; that is the answer. I am speaking from my own experience. Many students who want to go abroad for studies are also put to difficulties. A particular colour has come in the way After all, a citizen of India is a citizen. He should not be given a colour—yellow, red, white etc. Except for the colour of the skin, political colour should not be given.

Mr. Deputy-Speaker: Every party has a political colour and you do not want to shed that colour.

Shri S. Kandappan: But that cannot be taken as a criterion for giving passports.

Mr. Deputy-Speaker: That is all right.

Shri Nambiar: But we are working within the four corners of the Indian Constitution and the Constitution guarantees certain rights. Unless and until he is declared an outlaw or the party is banned and has no right to exist as a political party, why should it be so? For instance, I know that many DMK friends in Madras State were denied passports. For Communists, of course, it is a common feature, whether it is a Communist from Kerala or from Timbuctoo. A Communist is a Communist. The first feeling of a Passport Officer when he knows that one is a Communist is refusal. Then he must convince himself of the fact whether his refusal must be altered and he must be granted a passport; but, *prima facie* he will be refused. It was also the case in Madras State for Dravida Munnetra Kazhagam. After the DMK regime in Madras I do not know what will be the attitude. Anyhow, the State authorities have no right to grant passport. It is only the Central Government which has got the right to grant a passport. The State Government can only make a recommendation; the Collector has also to recommend and forward the application.

This is the crucial clause of the Bill. I request the hon. Minister and the Members on both the sides to accept my innocent and reasonable amendment so that passports are issued to all reasonable and legitimate persons and that they are not denied their right to go abroad.

Mr. Deputy-Speaker: There are some amendments to clause 5. I want to know whether they are being moved. Shri K. Narayan Rao. Are you moving your amendments?

Shri K. Narayana Rao: I am not moving my amendments.

Shri P. N. Solanki (Kaira): I beg to move:

"Page 3, lines 27, to 31,—

omit 'unless in any case the passport authority is of the opinion that it will not be in the interests of the sovereignty and integrity of India, the security of India, firendly realtions of India with any foreign country or in the interests of the general public to furnish such copy". (15).

Shri Nambiar: I beg to move:

"Page 3,—

omit lines 20 to 22". (41).

Shri Dattatraya Kunte: I beg to move:

"Page 3, line 26,—

omit "on demand" (42).

"Page 3, line 27,—

for "is of the opinion" *substitute*—

"in its discretion comes to the conclusion" (43).

"Page 3, line 31,—

add at the end—

"and furnish to the person concerned a copy of the same" (44).

Sir, these are my amendments.

In clause 5(3), it is stated:

" . . . . and furnish to that person on demand a copy of the . . ."

I really do not know why a person must demand a copy of these things. It should automatically follow that when a person is denied the right to go abroad, he should be furnished a copy of that.

Then, the next line says:

"unless in any case the passport authority is of the opinion . . ."

I do not know what sort of an authority is going to be appointed. An officer of any type could be appointed under this Act. Therefore, I have suggested that instead of the words "is of the opinion" the words "in its discretion comes to the conclusion" should be substituted. I want the

[Shri Dattatraya Kunte]

authority to exercise its discretion. While replying to the first reading of the Bill, the hon. Minister was pleased to say that there might be a number of cases where passports have been denied but he did not have the knowledge of the same. That is the pity of it. There are persons who ask for an authority and they pass on that authority to some other persons about whose actions they are absolutely either unmindful or ignorant. Therefore, it is necessary that the authority must pass the order in its discretion.

Finally, in amendment 44, I have suggested that the following words be added at the end:

> "and furnish to the person concerned a copy of the same."

It says that in some cases, it might not be furnished. I suggest that in all cases, the copy must be furnished. The three amendments will make some sense of an officer or authority acting somewhat judiciously or in a judicial manner. Therefore, these are the amendments which I want to be accepted by the House.

Shri P. Ramamurti: I just want to point out how fallacious and fraudulent the claim of the Government is that they are, under this, providing for an appellate authority. Here the clause is absolutely clear. If the passport officer is of the opinion that a copy of the grounds on which it is refused need not be given in his discretion is absolute and supreme if he is just of that opinion, then, a copy need not be punished. Then, how will he make his appeal? From what? That is why I say that this is a fraudlent clause. The entire intention of the Government is to refuse passports to a number of people.

I can give my own case. In 1946, I was given a passport; I went to England and a number of countries in Europe; nothing was said against me. Later on, in 1952, when I was the Leader of the Opposition in the Madras Assembly, I applied for a passport. At that time, Mr. C. Rajagopalachari was the Chief Minister of Madras. He told me that the Central Government were refusing to give me the passport. When I came and made enquiries here, I was told that it was the State Government which was refusing to recommend. Then I went to Mr. Rajagopalachari andtold him that this was what they told me I told him, "one of you must be lying; I do not know who is lying, whether you are lying or the other man is lying, but one of you must be lying". Then I added, "even if you are not going to give me a passport, I shall still go out of the country; you cannot prevent me from going out; and when I come back, you cannot take any action against me because I am a citizen of this country and I have a right to come back. Simply because, I am asking for a passport in the normal way, I am refused." Ultimately he came down, when I threatened him that I would go out in spite of his refusal. Then he said, "all right; I will give it, in order to save my prestige, to such of the other countries; you change some of the countries and I will give the passport". This happened in 1952. Then when I went, I became a normal person.

So, the whole procedure is for political purposes. They denied the passport at that time because they were governed by political considerations The provisions of this Bill give them ample powers to refuse, to deny, passports to a number of people. All the assurances that the Minister might give on floor of this House will have no validity. We know what value these assurances have! Therefore, all the provisions for an appeal are fraudulent provisions. They do not mean it; they just want to hoodwink the people and that is why they have provided for an appellate authority. If they really mean that, they must accept Mr. Kunte's amendment as well as the amendment of Mr. Namblar

Shri P. N. Solanki: My amendment is to omit lines 27 to 31. This is because of this. In some cases the reasons will be given by the passport officer and in some other cases the reasons will not given. This is really confusing. In all the cases where passports are denied, the reasons should be given.

I will just give you one example which took place three days back A lady doctor wanted proceed to the United States. She had been given a scolarship and she was to report herself in the United States on the 2nd July. No reasons were given for the refusal of a passport to her She approached me Then we all went to the passport office Still no reasons were given We were simply told that the Passport Bill was pending before the Parliament and that they could only take a decision after the Bill was passed Even then the reasons were not given. We asked whether we could apply for the passport on other grounds They said that it might be considered if we applied or other grounds, but on that ground there was no hope of her getting the passport Unless a citizen of this country is informed as to why he is forbidden to go abroad, why he is refused a passport, there can be no other way of finding out what is the fault in that particular person and why he or she is refused a passport. Therefore, my request is to omit those lines. The reasons should be given for granting or not granting a passport

The Deputy-Speaker: I shall now put all the amendments to vote .

Shri Nambiar: Before you put the amendments to vote, we must know the mind of the hon. Minister. This is a very serious clause and this is the main clause. The hon Minister must tell us why he is not accepting the amendments.

The Minister of Defence (Shri Swaran Singh): With your permission, I shall try to explain one or two points that have been raised by hon. Members while moving their amendments.

First of all, as has already been stated categorically by the Deputy Minister, the provisions of this Bill are not meant to be used and will not be used for any political reasons, and that is an assurance which should be taken and which should not be brushed aside lightly.

Shri Dattatraya Kunte: Has this assurance any legal effect?

Shri Swaran Singh: It has the legal effect

Shri Dattatraya Kunte: Not in the least

Shri Swaran Singh: It has a legal effect because the grounds on which passport will be refused are spelt out in clause 6 of the Bill, and, therefore, that is a legal cover.

Shri Dattatraya Kunte: It is as vague as anything

Shri Swaran Singh: Shri Nambiar's amendment is obviously restrictive because he wants the enquiry at that stage to be restricted to looking at the columns and to seeing about the identity etc I am afraid that that will not serve the purpose of it if the scheme of the Bill is kept in view. Clauses 5 and 6 of the Bill have to be seen together. In clause 6 various grounds are set out on which the passport authority can refuse the issue of a passport Obviously, to come to the conclusion whether the action that is to be taken at that stage is not hit by any of the restrictive provisions of clause 6, it will be necessary for the passport authority to undertake some enquiry; it will not be just counting the columns or looking at the identity and so on Let us be quite clear about this Clause 5 states that there has to be an enquiry, and that will not be confined to the limits which Shri Nambiar's amendment proposes to impose on the nature of the enquiry at that stage. So, on this ground, I cannot accept his amendment.

[Shri Swaran Singh]

Shri Dattatraya Kunte has put forward three amendments to clause 5. I am not quite sure whether he really wants to introduce the expression 'at its discretion comes to the conclusion' instead of 'is of the opinion'. I think that that perhaps might give even greater scope for the exercise of authority or discretion by the passport authority. 'Is of the opinion' or 'exercises his discretion and comes to the opinion' is a process through which any passport authority or any officer has to go in order to form an opinion.

Shri Dattatraya Kunte: Not necessarily.

Shri Swaran Singh: It is not as if he will be blind absolutely when he forms or has to form an opinion. The formation of the opinion will be the result of his weighing the various circumstances and an element of exercise of discretion will also be there. As I look at the scheme and the phraseology, I feel that it will not be proper to introduce the expression 'at its discretion'.

The two other points raised by Shri Dattatraya Kunte when he moved his amendments have already been replied to by the Deputy Minister when the latter was replying to the debate on the motion for consideration of the Bill.

I would, therefore, appeal to the House that these amendments which are unnecessary or cannot be accepted may be thrown out.

Shri A. S. Saigal: What about appeal and what about a tribunal for the purpose?

Shri Swaran Singh: In regard to the appeal, we have said that the appeal does lie. The grounds on which a passport can be refused are spelt out in clause 6. It is not on all of those grounds that a copy of the order refusing the passport is denied, but it is only in certain cases that a copy of the order refusing the passport is denied. The reasons have to be recorded in each case. That is provided for in clause 5 clearly. As regards the question whether in all these cases, a copy of the reasons should be supplied or not, the only limitation that is mentioned there is this. If it is not in public interest, then the copy need not be given; similarly, there are several other grounds which have been spelt out. So, it is not fully restrictive on that account, and the appeal will be competent. They can go in appeal. At any rate, if a copy is not supplied, the applicant will know that it is within one of the grounds mentioned.

Shri P. Ramamurti: How is he to appeal without knowing the reasons?

Shri Swaran Singh: He knows full well that the refusal is based on one or other of the three or four considerations on the basis of which a copy is not supplied; therefore, he has full knowledge, and he can refute any of these points.

Shri Tenneti Viswanatham: The reasons need not be disclosed in some cases.

Shri Swaran Singh: That is what I am trying to explain. The scheme of the Bill will show that the refusal to suply a copy of the reasons can be there only in certain cases which are spelt out in the clause itself. So his case will be under one or the other of those four provisions. He can still agitate.

Shri P. Ramamurti: On what basis can he proceed when he does not now the grounds? This is wonderful.

Shri Nambiar: The difficulty is this....

Mr. Deputy-Speaker: He has explained. A second speech is not permissible.

Shri Nambiar: The difficulty of the citizen must be appreciated.

Mr. Deputy-Speaker: He has appreciated it and given the answer.

Shri P. Ramamurti: He has been a lawyer. Has he come across a case where without knowing the grounds of refusal, a man can appeal?

Shri Swaran Singh: If he asks my opinion, I have been dealing with cases of appeal.

Shri P. Ramamurti: Not as a Minister, but a a lawyer.

Shri Swaran Singh: As both. As a lawyer, I have drafted appeals and as Minister I have disposed of them. I can assure him that several friends belonging to his party approached me on several occasions. They preferred an appeal when passport was refused. I looked into the cases and in several cases when I found that the refusal was not proper, I have granted the passports.

Shri P. Ramamurti: That is on political considerations.

Mr. Deputy-Speaker: I shall now put all the amendments to this clause to the vote of the House.

Amendments Nos. 15 and 40 to 44 were put and negatived.

Mr. Deputy-Speaker: The question is:

"That clause 5 stand part of the Bill".

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6- (*Refusal of passports, travel documents etc*).

Shri Sradhakar Supakar: I beg to move:

Page 4,—

after line 28, *insert*—

"(ff) that the applicant has no adequate means of supporting himself outside India consistent with his dignity and self-respect as a citizen of India;

(fff) that the applicant has not furnished an income-tax clearance certificate from the appropriate income-tax officer;" (1)

Shri Srinibas Mishra: I beg to move:

Page 4,—

omit lines 26 to 33. (4)

Page 4,—

omit lines 37 to 39. (6)

Shri P. N. Solanki: I beg to move:

Jage 3, line 33,—

for "shall" *substitute* "may". (17)

Page 4,—

omit lines 1 to 3. (19)

Page 4, line 8,—

for "shall" substitute "*may*". (20)

Page 4,—

omit lines 18 to 20. (22)

Page 4, line 37,—

omit "in the opinion of the Central Government". (25)

Mr. Deputy-Speaker: The amendments are now before the House.

Shri P. N. Solanki: Regarding my amendments, Nos. 17 and 20, I seek to substitute the word 'shall' by 'may'. When the passport officer is given discretion to refuse passport on the grounds or reasons that he decides, why should there be a directive again from Government, saying 'you shall do this, you shall not do that'. Therefore, the word 'shall' should be substituted by 'may'.

Shri C. C. Desai: In clause 6, the grounds on which a passport can be refused are listed. The clause is a comprehensive one covering every conceivable ground, and at the end of it there is a sub-clause (i) which puts this ground, 'in the opinion of the

[Shri C. C. Desai]

Central Government the issue of a passport to the applicant will not be in the public interest'.

I can tell you, having had experience of administration, that every case of refusal of passport will be decided under sub-clause (f). You can go in appeal, but nothing will happen. We have got every conceivable objection covered in the previous sub-clauses. I see no reason why there should be an omnibus additional sub-clause which says that you can refuse a passport "in public interest". This particular sub-clause is ill-conceived and arbitrary and should not be there. I suggest to Government that at least this amendment be accepted and the sub-clause deleted as all the objections are embodied in the first seven or eight sub-clauses.

17 hrs.

Shri Nambiar: Anything and everything can be done under this clause. They can give a passport to anybody, or they may not give a passport to anybody. The whole Bill is reduced to this by this clause. Such a type of loose legislation should not be allowed.

> "Subject to the other provisions of this Act, the passport authority shall refuse to make an endorsement for visiting any foreign country under clause (b) or clause (c) of sub-section (2) of section 5 on any one or more of the following grounds, and on no other ground, namely:
>
> (a) that the applicant may, or is likely to, engage in such country in activities prejudicial to the sovereignty and integrity of India."

He may or is likely to engage in such activities. So, what is the criterion to decide? Suppose I go to Switzerland for a rest of three months or three weeks, you can interpret it and say that a Communist becoming healthier may affect the interests of the country.

Mr. Deputy-Speaker: There is a possibility it might do some harm to you if you go to Switzerland.

Shri Nambiar: Suppose this is taken before a court of law, what can the poor Judge do? The Judge will say section 6 is so powerful that the authority can refuse, so he has refused, my hands are tied, I am unable to give you any relief, and we will have to come back paying the fees. It is obvious.

So, I would request the hon. Minister to delete this clause. I can only oppose this clause. I cannot amend it. It is not amendable.

Shri Srinibas Misra: My amendment is to omit sub-clauses, (f) (g) and (i) in sub-clause (2) at page 4

It reads:

> "Subject to the other provisions of this Act, the passport authority shall refuse ".

It is a mandatory provision. The passport authority shall refuse on the following grounds, namely:

> "(f) that proceedings in respect of an offence alleged to have been committed by the applicant are pending before a criminal court in India;"

So, as soon as a criminal case is instituted against anybody, a passport shall be refused I may be excused for using the expression that it is an insane clause. I can thwart anybody's attempt to go abroad by filing a case with one witness. The type of offence should have been prescribed, whether it is a non-bailable offence or an offence under the Motor Vehicles Act or such other acts, for which a fine of Rs. 5 is prescribed. Anybody anywhere in this country can stop anybody from going abroad. Then:

> "(g) that a warrant or summons for the appearance, or a warrant

for the arrest, of the applicant has been issued by the court under any law for the time being in force or that an order prohibiting. ."

"Warrant or summons for appearance" is insane. Even if I file a case against Mr. Nambiar that he has promised to give me Rs. 10 and has not given, a summons will issue for his appearance. Will that compel the Government to refuse a passport to Mr Nambiar?

These are insane clauses which should not have been there. If at all they are put in, they should have been qualified by the nature of the offence, whether it is moral turpitude or some other serious offence

These days, after the amendment of the Criminal Procedure Code, representation is being allowed for the accused. So, what par is there to a person who is accused from going abroad, because he can be represented in the court. I take it that was the only thing before the draftsmen when they put this in, to see that the court proceedings should not be held up There is provision for that. There is provision for representation under the Civil Procedure Code also. So, why should these two provisions be there?

Sub-clause (i) has been opposed by everybody, because it is a blanket power taken by the Government.

> "(i) that in the opinion of the Central Government are issue of a passport or travel document to the applicant will not be in the public interest."

It is unguided, unrestricted power He can say:

'I am of the opinion that it would not be in the public interest'. Mr Chagla admitted that public interest has not been defined. 'Public interest' should be defined; if not, why should this Bill be taken up by this Government. In every case, he can say: it will not be in public interest and I am of that opinion. That kind of thing is unnecessary. It also cannot stand the test of courts.

Shri Sradhakar Supakar: Sir, I have moved my amendments to this clause. Mr. Nambiar mentioned about the presence of an applicant outside India which is likely to prejudice the friendly relations with any foreign country. When Sheikh Abdullah was allowed to go outside India, there was a lot of objection. The government was taken to task for allowing him to go abroad and speak there jeopardising the friendly relations between our country and some of the Arab countries. Such cases are likely to arise. Regarding the two other clauses which I propose, in the explanatory memorandum itself it was stated that there might be many people who might go outside as contract labour. Even people who are students are asked to go abroad by some of the passport racketeers. When they go abroad they find there are no admission facilities and there is also no opportunity to earn any livelihood. They find themselves in a very bad predicament and that tells upon our prestige and also our High Commission or the Embassies abroad are highly embarrassed. For meeting such situations, I have moved that clause.

So far as the other sub-clause is concerned, it relates to the applicant furnishing an income-tax clearance certificate. Hitherto even in the case of students who have not been earning anything and who want to go abroad, this was required. In the case of big people, businessmen, we have always the apprehension and questions are put in the House as to why such and such person is allowed to go abroad as he has such a huge arrear of income-tax and all that. They ask: why not have a provision. Unfortunately, the Supreme Court judgment came on the 24th of April and the Ordinance came into force on the 8th of May only eleven days thereafter.

[Shri Sradhakar Supakar]

Government had no time to weigh all the pros and cons of the matter and therefore, they were not in a position to look into all proposals. The hon. Minister has promised that he would look into the matter and cover all the loopholes which may be found. In genuine cases where passport should have been given, why were they refused. He will have to see that. I do not want to press amendments as I hope that the Government will take action.

Shri Swaran Singh: Sir, it is no doubt correct that clause 6 is the operative clause because it spells out the various principles which will be weighed by the passport issuing authority. It also mentions in the several sub-clauses the reasons or grounds on which the passport authority can refuse a passport. You must have noticed that there has not been any criticism of the main reasons according to which a passport should be refused, namely, if it threatens the sovereignty, territorial integrity, etc. So, it is welcome sign. Some objection has been raised by my friend opposite that one of the clauses is a little too vague, but with his long experience of administration, he should readily concede that there is such a thing as public interest, and an effort has been made to spell out and define various considerations. Still, there may be a residue which might be still left; and if on the ground of overall public interest, the passport issuing authority comes to the conclusion that a passport should be refused, that power is retained. In view of the assurances that have already been given, that the intention is to grant a passport when an application is made, and that those will be only exceptions where a passport is refused, there will be no difficulty. A very sincere effort has been made that the restrictive clauses also should be strictly defined. It is for this reason that an effort has been made to define the various considerations and conditions which should operate for taking a decision that the issue of a passport should be refused. It is for the first time that an effort is being made to define these restrictive clauses.

I would appeal to the hon. House, that the experience that they have had of the past, should not be a guide for approaching the provisions of this Bill, because it is known to the hon. Members of this House. (*Interruption*). Formerly there was no provision to this effect as there was no statute and when the effort is made to define the various clauses hitting against which may come within the mischief of the operative clause for refusal, then great care has been taken to define those clauses and conditions in a proper form. There may still be certain cases, some residue still left, and it is for this reason that the clause relating to public interest has been retained For this reason, I would submit that I am sorry I am opposing all the amendments that have been put forward

Mr. Deputy-Speaker: There are a number of amendments. With the permission of the House, shall I put them together?

Shri Sradhakar Supakar: I beg to withdraw my amendment, No. 1.

Amendment No. 1 was by leave, withdrawn.

Mr. Deputy-Speaker: I shall then put amendment Nos. 4, 6, 17, 19, 20, 22 and 25 together.

Amendments Nos. 4, 6, 17, 19, 20, 22 and 25 were put and negatived

Mr. Deputy-Speaker: The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill

Mr. Deputy-Speaker: We shall now take clause 7. There are no amendments.

Shri C. C. Desai: I have amendment No. 46, which is to clause 7.

Mr. Deputy-Speaker: It is to clause 8.

Shri C. C. Desai: It is to clause 7—duration of passports and travel documents.

Shri M. R. Masani: It is to clause 7. It is a mistake in the order paper.

Mr. Deputy-Speaker: Yes.

Clause 7— (*Duration of passports and travel documents*)

Shri C. C. Desai: Sir, I beg to move.

Page 5, *omit* lines 1 to 7 (46)

As it is, it is difficult to get a passport. The person first applies. The application is forwarded by the passport authorities. It is a printed form which is prescribed. In it, the application is first made. It goes to the police officer and it takes 6 months to one year after that to get the passport. The maximum duration for which a passport is generally issued is three years. Now Government want powers to reduce the period at the discretion of the passport authorities. Their whole concept of a passport is that it is a favour being given by the Government, whereas our point is that it is an individual's right, which can only be refused for reasons of State. I want to delete this provision which lays down that the initial period for which a passport is issued can be curtailed. I suggest that the prescribed period may be allowed to remain.

Shri Surendra Pal Singh: I am sorry I cannot accept the amendment.

Mr. Deputy-Speaker: I will now put amendment No. 46 to the vote of the House.

Amendment No. 46 was put and negatived.

Mr. Deputy-Speaker: The question is:

"That clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8 and 9 were added to the Bill.

Clause 10— (*variation, impounding and revocation of passports and travel documents*)

Mr. Deputy-Speaker: There are a number of amendments.

Shri Srinibas Mishra: I beg to move: Page 6.—

Omit lines 14 to 16. (7)

Mr. Deputy-Speaker: Amendment No. 29 is the same as No. 7; it cannot be moved..

Shri K. Narayana Rao: I beg to move:

Page 5, line 39,—

after "may" *insert*—

",with the previous approval of the Central Government," (27)

Shri P. N. Solanki: I beg to move:—

Page 6, lines 7 and 8,—

Omit "friendly relations of India with any foreign country," (28)

Shri K. Narayana Rao: I beg to move:

Page 6,—

Omit lines 22 to 30. (30)

Page 6,—

after line 30, *insert*—

"(3A) Notwithstanding the possession of valid passport, the same may be suspended with re-

[Shri K. Narayana Rao]

gard to holders of passports in India—

(a) if any criminal proceeding is pending in India against the passport holder; or

(b) if the passport holder has to comply with a lawful warrant or summons issued by a competent court in India." (31)

Shri P. N. Solanki: I beg to move:

Page 7, lines 2 and 3,—

Omit "friendly relations of India with any foreign country" (32)

Shri C. C. Desai: I beg to move:

Page 6, lines 7 and 8,—

Omit "friendly relations of India with any foreign country, or in the interests of the general public" (47)

Shri Dattatraya Kunte: I beg to move:

Page 6, line 39,—

Omit „on demand" (48)

Page 7, line 1,—

for "is of the opinion" *substitute*—

"in its discretion comes to the conclusion" (49)

Shri C. C. Desai: I beg to move:

Page 7,—

Omit lines 5 to 11. (50)

Mr. Deputy-Speaker: All these amendments are now before the House.

Shri C. C. Desai: I want to omit the lines:

"friendly relations of India with any foreign country".

We have recently seen the subservience of this Government to the Arabs. I feel a provision like this could be used to deny the issue of paasport for a country like Israel. They can say that if anyone goes to Israel, friendly countries will be offended. Probably there are cases where people have applied for a passport to Israel and have been refused merely on the ground that Mr. Nasser would be offended. This is not consistent with our self-respect. We should not be guided in these matters by what the other countries may say or feel. Therefore, this particular clause ought to be deleted from the Bill.

Shri Srinibas Misra: Sir, I have moved this amendment seeking to delete sub-clause (e) of sub-clause (3) for the same reasons for which I moved my amendment for deleting sub-clauses (e) and (f) in clause 5.

17.20 hrs.

[MR. SPEAKER *in the Chair*]

I am sorry, although I moved for omitting sub-clause (f) and (g) the significance of my arguments were lost on the hon. Minister who did not even care to reply to my points and say these should not be omitted. Here also the reasons are the same, that if after a person gets a passport a false case is filed against him and he is summoned to the court whereby a case is pending against him, then the Government can withdraw the passport, impound it and alter the conditions. Therefore, this sub-clause also should be omitted.

Shri K. Narayana Rao: Sir, actually, there is common ground between clause 6 and clause 10 of this Bill. In both the clauses the grounds are mentioned for rejection of a passport, for rejection of endorsement of a passport, or impounding a passport etc. There my amendment sought to see that the existence of a criminal case pending against an applicant should not be the ground for rejection of the application at all. Simply because a case is pending, the appli-

cation should not be rejected. In the ultimate analysis the applicant may be acquitted. Therefore, the proper course should be to keep the application pending during the pendency of the case. Similarly, simply because a summons has been issued against me to appear before a court, which may be of a very innocuous thing, should my application for a passport be rejected or the passport which has been issued to me be revoked or impounded? In all these situations the proper course would be to keep, in one case, the application in suspension and, in the other, the use of the passport in suspension. That is why I have moved amendments to delete certain provisions and to substitute in their place a provision for suspension of the application and for suspension of the use of the passport till the disposal of the case.

Shri Dattatraya Kunte: Sir, I have moved two amendments. Similar amendments were moved to a previous clause and in reply to those amendments the hon. Minister of Defence was trying to defend the Government's position The attitude he took was that there was nothing wrong in the amendments moved by me. He said, if the amendment was accepted the position would be more strict and stringent for the applicant and therefore he would not accept the amendment. I cannot understand the very intelligent argument of his. In opposing an amendment later on he was trying to tell the House that these officers will be very careful. He was giving his own experience, that he had looked into the cases of passports being rejected and in many cases they were granted. But where is the guarantee that we will have officers like Shri Swaran Singh everywhere who will give those decisions? When they are talking of very intelligent officers, I am reminded of the great mathematician Newton. What happened to him was, once one of his maidservants came to him saying that the milkman was asking for seven days' charges for the milk. He did not know what was the amount of milk taken. He was told that it was one litre per day and the rate was three pence per litre. So Newton started calculating, he went into logarithms and anti-logarithms and ultimately came to the decision that the amount was between 20 and 22. The maid-servan. wondered that the great scientist, the great mathematician who was made a Member of the Royal Society by the King of England was not able to give the simple answer that 7 multiplied by 3 gave 21. That is what happens to people who are highly placed For instance, my friend from Calcutta tells me: suppose a person receives a summons for having committed public nuisance in the streets, should the passport be rejected on that ground? Therefore, we must draft our legislation in such a manner that those persons who are left to administer the law do understand the meaning and sense of these words and that they do not act like Newton. Therefore, I am pressing my amendments.

Shri Surendra Pal Singh: I am not prepared to accept any of the amendments.

Mr. Speaker: I think I will put all the amendments together. I am putting amendment Nos. 7, 27, 28, 30, 31, 32, 47, 48, 49 and 50 to the vote of the House

Amendments Nos. 7, 27, 28, 30, 31, 32, and 47 to 50 were put and negatived.

Shri Srinibas Misra: When these amendments relate to different matters how can they be put together to the vote of the House in this way?

Mr. Speaker: The question is:

"That clause 10 stand part of the Bill"

The motion was adopted.

Clause 10 was added to the Bill.

Clause 11.— (*Appeals*)

Shri Dattatraya Kunte: I beg to move:

Page 7, lines 32 and 33,—

for "and within such period as may be prescribed,"

substitute "within thirty days from the receipt of the orders" (51)

Shri M. R. Masani: I beg to move:

Page 7, line 27,—

after "section 5" *insert*—

"or section 6" (38)

Page 7,—

omit lines 34 and 35. (34)

Page 8,—

omit lines 13 and 14.

Of these three amendments, one is a routine one. In fact, it is a mistake to which I want to draw the attention of the Minister. In the matter of appeals this clause refers to clauses 5 and 10. I may point out that clause 6 is also of a similar nature and if the Bill had been properly drafted it would have included clause 6 also as a section from which an appeal would lie. This is a constructive suggestion that I am offering to my hon. friend.

My two other amendments are on the fundamental question whether the denial of passport should or should not be made a justiciable matter. Since it is already 5.30 p.m. Sir, perhaps you would allow me to continue my observations tomorrow morning.

The Deputy Minister in the Department of Parliamentary Affairs (Shri Muthyal Rao): Sir, the time has already been extended by one hour by the Deputy-Speaker. It would not be possible for the Government to accept extension of time still further.

Shri M. R. Masani: I hope the Minister is not asking for its passage without a third reading. We want to oppose the Bill during the third reading and we want to divide the House.

An hon. Member: We have to take up the China question now.

Shri M. R. Masani: This is a very important clause. Further, we want to oppose it during the third reading.

Mr. Speaker: Tomorrow would you be able to finish it in one hour's time?

Shri M. R. Masani: I think one hour would be adequate tomorrow.

17.28 hrs.

CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

SIEGE OF INDIAN EMBASSY IN PEKING AND SERIOUS DETERIORATION IN INDIA-CHINA RELATIONS

Mr. Speaker: We will now take up the Calling Attention Notice.

Shri Seshiyan (Kumbakonam): Is it a Calling Attention or a general discussion?

Mr. Speaker: Calling Attention Notice.

Shri Seshiyan: Sir, you said in the morning that the Minister will make a statement. So, all parties may be given opportunities.

Mr. Speaker: There are 50 names in the Calling Attention Notice.

How could I give opportunity to all of them?

Shri S. A. Dange (Bombay Central South): You may ask the spokesman of each party to make a statement. That would be easier.

श्री मधु लिमये (मुंगेर) : सभापति महोदय, मैं अविलम्बनीय लोक महत्व के निम्नलिखित विषय की ओर वैदेशिक कार्य

मंत्री का ध्यान दलाता हूं और प्रार्थना करता हूं कि वह इस बारे में एक वक्तव्य दें :—

पेकिंग स्थित भारतीय दूतावास को चीनियों द्वारा घेरा जाना, चीनी चार्ज द अफेयर्स द्वारा वैदेशिक-कार्य मंत्रालय के विरोध पत्र लेने से बार बार मना करना, घायल चीनियो के ठहरने की अवधि बढ़ाया जाना, चीन द्वारा निकाले गए भारतीय राजनयकों द्वारा हांगकांग में बुलाये गए संवाददाता सम्मेलन को रद्द किया जाना. नेपाल में हवाई अड्डे पर चीनियों द्वारा भारत विरोधी नारे लगाये जाना और हाल ही की घटनाओं के बाद भारत-चीन सम्बन्धों का गम्भीर रूप से बिगड़ना ।

The Minister of Defence (Shri Swaran Singh): Mr. Speaker, Sir, hon. Members would be interested in the latest developments about the situation of our Embassy in Peking. We have now, after considerable delay received a full report from our Charge d' Affaires. Members will recall that at 11.00 a.m. on 17th June, the Chinese Foreign Minister suddenly demanded the evacuation of all members and their families residing in different parts of Peking in the Embassy compound. A period of two hours was given for this operation but, by the time the Charge d' Affaires returned to the Embassy half hour had already passed. No cars which were already in the Embassy were permitted by the Chinese to be taken out of the Embassy compound to bring in the families. It was therefore necessary to bring in families living in about 15 to 20 flats about 3 miles away from the residence in one or two vehicles belonging to the Embassy and a number of cars and vans lent to us by some friendly Missions. By the concerted efforts of the Embassy personnel and these friendly Missions our staff managed to evacuate every single family before the expiry of the time limit that is within 90 minutes.

Shri M. R. Masani (Rajkot): Who were the friendly missions?

Shri Swaran Singh: The total number of individuals in the Embassy today is 66 including 15 women and 23 children. One family left for India a day before the siege began. Mr. Rao who accompanied Shri Raghunath and Vijay to Hong Kong and the weekly courier who was in Hong Kong have been asked to stay back in Hong Kong, until the position becomes clear. Hon'ble Memoers will recall that even before the confinement of the whole Embassy personnel in the building, demonstrations by Red Guards in front of the Embassy had already gone on for several days Since the actual siege began dey before yesterday, Red Guards have prevented any access of vehicles to the Embassy by blocking up the whole street. The so-called "masses' have smashed every window and door of the Embassy building facing the street, and the reception rooms which are adjacent to the street have been completely wrecked. So far there has been no attempt at forcing entrance into the Embassy premises, Although a small back gate has been damaged. Our Embassy reports that hundreds of demonstrators stood on two sides of the Embassy compound and hurled stones and broken glasses into the Embassy compound making it impossible for movements within the Embassy between the two wings. No injury has been caused to anybody yet but since windows in the reception and dining rooms of the residence and other sections of the Chancery face the road, there is at every moment the likelihood of stones falling into the building itself with a possibility of hurt being caused to women and children. Precautions are being taken against this eventuality. While all this was going on repeated attempts made by the CDA to contact the Foreign Ministry were frustrated either by lines being cut off or by false excuses. Hon. Members should realise that the total area of the

[Shri Swaran Singh]

Embassy compound is not more than 1½ acres, divided into two buildings and a few out houses. Friendly Missions were prevented from bringing provisions until this morning, when some provisions were finally permitted by two members of the Chinese staff of the Embassy. Eversince the siege began there has been a sustained campaign to terrorise the Embassy personnel. There have been continuous demonstrations, burning of effigies and deafening noises caused by at least 30 loud speakers blaring away slogans day and night into this small Embassy area. Apart from the elementary physical problems this makes normal lives impossible for Embassy personnel. Hon. members can visualise the psychological torture to which our offices and staff in the Embassy of India, Peking and their families are being subjected to.

To put it briefly, our Embassy is besieged and the personnel of the Embassy are virtually held as prisoners. There have been similar sieges in Peking in the last one year in some other Embassies but what our people are now enduring is much worse mainly because our Embassy compound is comparatively small. Also, the only communications we are having with the outside world is the telephone and even in this case we are told that for full 8 hours on the day the siege began the Foreign Office refused to answer our telephone calls.

In spite of the almost unendurable strain that they are being subjected to, I am happy to announce that, in all his messages, our CDA has conveyed to us the determination of our Embassy personnel to go through this ordeal without financing.

The Chinese CDA was summoned to the Ministry of External Affairs yesterday. A most emphatic protest was lodged regarding the totally unjustified and unwarranted siege of the Embassy premises.

The Embassy was informed that unless the restrictions on the movement of our officers and personnel were removed and povisions allowed to go through, within 24 hours, the Government of India would be obliged to take appropriate counter measures, for which the Chinese Government will be obliged to bear sole responsibility. The Embassy was also informed that, as regards Mr. Chen Lu Chih and Mr. Hsien Cheng Hao the notes already communicated stand. However, on humanitarian grounds since it is alleged that they have received injuries, it is not being enforced immediately

Hon. Members must have seen the reports in the Press about the unseemly behaviour of the Chinese personnel at the Willingdon Hospital where the seven injured Chinese have been receiving treatment. Expert attention has been given to these injured personnel, indeed Chinese Embassy Officials expressed gratification to our officers at the medical facilities and attention given to them. The Chinese CDA during his conversation was also informed that if, as is alleged Mr. Chen Lu Chih has suffered injury he could also be sent to the Willingdon Hospital where he would receive the best treatment possible. Notwithstanding all the arrangements made yesterday the Chinese Embassy personnel tried to interfere in the administration of the hospital. A Doctor of the Pakistan High Commission was also brought by the CDA as "a friend" to see the Chinese patients. The hospital authorities informed the Chinese CDA that he was welcome to see his colleagues, but the hospital could not permit foreign doctors to treat patients inside the Government hospitals. In the conversation with the Chinese CDA, it was also mentioned that, in Peking also, Embassy doctors are not allowed to treat patients inside Chinese government hospitals.

Subsequently, the Chinese Embassy personnel insisted on shouting slogans

in Chinese and on having a portrait of Mao Tse Tung hung in the hospital where the patients were accommodated, obviously for propagandist purposes Naturally the hospital removed, obviously from propagandist pursion and insisted that this kind of behaviour in a hospital could not be permitted Four of the patients were discharged by the Willingdon Hospital yesterday evening, the three others are improving steadily There is no cause for anxiety but they are being kept under observation

Late last night our Charge d' Affaires in Peking was asked to go to the Chinese Foreign Office He agreed to go only after proper assurances had been given about his safe transit through the demonstrators The Foreign Office demanded that the Government of India should permit the Chinese Government to send a civil aircraft to New Delhi to evacuate the Chinese Embassy personnel injured in the recent incident on June 16 1967 We have already issued instructions to our Charge d' Affaires to inform the Chinese Government that unless and un il the present siege of the Embassy is lifted, the Government of India is not prepared to consider such a request

If the Chinese Government does not comply with the demands raised in our note within the specified time limit, appropriate counter measures will be taken

Shri Nath Pai (Rajapur) The time is over; the time has expired

Shri E. Kandappan (Mettur) The time limit expired at 3 P. M We should have [illegible] some action

श्री मधु लिमये अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न है। मेरा जो ध्यान आकर्षण का प्रस्ताव है उस में उल्लिखित कई मामलों का कोई जवाब नही दिया गया है जैसे भारतीय राजनायिको का प्रेस सम्मेलन, जिसको इन के आदेश के रद्द कर दिया गया, नेपाल में चीनी दूतावास के लोग स्वागत करने आये और उस के बाद इन्होने कोई विरोध पत्र नेपाल सरकार को दिया है, इन चीजों के बारे में कोई सफ़ाई नही है। इसी तरह से विलिंगडन अस्पताल में मासोरसेतुग के विचारो को लटकाया गया, इसका भी उल्लेख नही है। तीन बजे ये कार्यवाही करने वाले थे, अब पौने छ बज गये हैं, पौने तीन घन्टे गुजर गये हैं इन सब के बारे में सदन को जानकारी दें वर्ना यह मजाक हो जायेगा आखिर इस ध्यान आकर्षण का क्या मतलब है ?

Shri Swaran Singh: I am very sorry that the hon Member should describe such a serious si uation as 'Mazaak'

श्री मधु लिमये मैंने आपके मुताल्लिक कहा है। आप मेरा ही मखोल उड़ाने की कोशिश कर रहे हैं। आपने प्रस्ताव पढ़ा है। क्या आपने उस का जवाब दे दिया है ?

Shri Swaran Singh: I would respectfully urge

श्री मधु लिमये अध्यक्ष महोदय, इस तरह से तो नही चलेगा। मैंने आपसे पूछा है, व्यवस्था के प्रश्न का जवाब क्यो दे रहे हैं ?

Mr. Speaker: Of course, the call-attention was there I had requested the Minister to make a comprehensive statement because of not only the points raised here but we also wan'ed to know what had happened after 3 P.M That is why we postponed this till 5:30 P M. to enab'e the Minister to give some information whether the

[Mr. Speaker]

siege had been lifted and if not, what was the position about it. If the hon. Minister has some information about it he can give.

I do not know whether all of you can put questions. (*Interruptions*) I have already told the Minister that whatever information he has, from 3 to 6 P. M., he can give.

Shri S A. Dange (Bombay Central) South): Before the Minister proceeds to answer Mr. Limaye's question....

श्री मधु लिमये : उनको कहने दीजिये न, मेरा व्यवस्था का प्रश्न है ।

Shri S. A. Dange:....would he also give us information as to whether a counter-request was sent by the Government of India that they would like to send an aircraft to evacuate their women and children who are besieged there and whether the Chinese Government would accept this request and whether the Government of India has such an intention. Why can't we lock up the embassy there and evacuate our personnel instead of allowing them to be tortured like this? That is the point. Let the Embassy here also be looked up and let them also go.

Mr. Speaker: This will come in 'questions'. That is, of course, a pertinent point. We read in the Press today that they had asked for permission to send a plane to take the Embassy staff. Whether such a request has been made by us is the question. Of course, the main thing is whether, after 3 P. M., any other event has happened.

Shri S. A. Dange: Do they wish to send a ship?

Shri Swaran Singh: I would appeal to the hon. members that we should not treat it as a political issue; it is a national issue and we should all approach this problem not with a view to criticising the Government, but we should view it as a problem that we have to tackle and tackle it consistent with our national honour and dignity. dignity. (*Interruptions*).

Shri Kanwar Lal Gupta: (Delhi Sadar): Let him tell us what he has done.

Shri Bal Raj Madhok (South Delhi): When we had fixed that this would be taken up at 5·30 p.m. we did so in the morning on the understanding that he would have some information.

Mr. Speaker: I have myself said that.

श्री मधु लिमये : अध्यक्ष महोदय, ये विदेश मंत्री भी नहीं हैं, विदेश मंत्री के लिये काम कर रहे हैं । प्रधान मंत्री यहां बैठी हैं, वह बोलें, वह चुप क्यों हैं । इन को बकरा बनाया जा रहा है ?

Mr. Speaker: Let us hear the hon. Minister now.

श्री अटल बिहारी वाजपेयी (बलरामपुर) : यह राष्ट्रीय प्रश्न है, हम यह जानना चाहते हैं कि क्या सरकार राष्ट्रीय नीति तय करने के लिये तैयार है ?

Mr. Speaker: I shall allow the hon. Member to put questions later.

श्री अटल बिहारी वाजपेयी : प्रश्न तो एक ही है जो आपने पूछ दिया है । तीन बज गये, सरकार के अस्टीमेटम का समय निकल गया है . . .

Mr. Speaker: On behalf of all the Members, I have done that myself. But hon. Members are not allowing the hon. Minister to answer. Let us allow him to say.

Shri M. L Sondhi (New Delhi): We want action.

Shri Swaran Singh: We have not received information that the siege has been lifted, and we are proceeding on this basis; for further steps that we should take we are proceeding on this basis that the siege of our Embassy in Peking continues, and it is our intention to take a decision on our side, and we intend to deliver....

An hon. Member: When?

Shri Swaran Singh: . . . a note to the Chinese representative here some time this evning.

Mr. Speaker: Now, we shall have to think about how we shall proceed with this. Many hon. Members want to ask some questions and elicit information, or ask for clarifications. Or they may also like to make some suggestions. There are 50 names on the list before me, and I cannot possibly call all of them.

Shri D. C. Sharma (Gurdaspur). We on this side of the House are also equally concerned.

Mr. Speaker: Apart from these 50 Members, there are others also. The House consists of five hundred odd Members. I know that. There are 50 Members who have given notice of this. But I shall not be in a position to call all of them. May I, therefore, call one from each party, and two or three from the Congress side also?

Shri Nath Pai: Why there or four from that side? None from that party should be called.

Mr. Speaker: It has been agreed to by all of us that 50:50 would be the sharing between the two sides . .

Shri Nath Pai: All these difficulties have arisen because of their bungling

Mr. Speaker: This is a matter about which we are all agreed. Naturally, we are all worried about it. Therefore, may I request hon. Members to keep a little calm and speak one by one? After all, Government also are equally anxious to do something. But perhaps they would need time. *(Interruptions)*.

Whatever that may be, let us not start talking simultaneously. It is no use ten Members getting up and speaking simul.aneously. I would call one Member from each party, either the leader or anybody that the leader may suggest. Let us have some order in this.

Shri S. Kandappan: He should give sraight answers.

श्री मधु लिमये : अध्यक्ष महोदय, पहले इन दो मुद्दों का जवाब दिलवाइये बाद में आपका सुझाव ठीक है । हम इसको मानेंगे ।

Mr. Speaker: If Shri Madhu Limaye has not got an answer for any of his questions, he may say that.

श्री मधु लिमये : मेरे पहले मुद्दों का ही जवाब नहीं आया है, पहले उन का जवाब आ जाये ।

Mr. Speaker: That is what I have said. If the hon. Minister can give any extra information, I shall be very happy. If not, the hon. Member can ask for it again There is no difficulty about it.

श्री मधु लिमये : मेरे पहले मुद्दों का जवाब दिलवाइये, उस के बाद सवाल पूछने का मौका आयेगा ।

Mr. Speaker: Has the hon. Minister any other information to give?

Shri Swaran Singh: I have given whatever information was available.

श्री क० मा० तिवारी (बेतिया) : अभी मधु लिमये साहब ने जो काल-एटेन्शन नोटिस पढ़ा है, उसमें जितने प्वाइन्टस हैं, उन का जवाब मिनिस्टर साहब ने नहीं दिया है। उसी तरह से दूसरे मेम्बर साहब ने जो प्वाइन्ट उठाया है, टाइम के बारे में, एरोप्लेन भेजने के बारे में, उन का भी जवाब नहीं दिया है। इस लिये फुलर स्टेटमेंन्ट दिया जाय, तब सवाल पूछे जांय ।

Mr. Speaker: The hon. Member is perfectly right . . .

Shri D. C. Sharma: We do not stand when you are on your legs, . . .

Mr. Speaker: I do not expect him to.

Shri D. C. Sharma: But the fact of the matter is that the hon. Minister of External Affairs has said nothing more than what we have already read in the papers this morning. What purpose is then served by this calling-attention notice? What is the use of raising this matter when we are going to get a rehash of the newspaper reports that we read this morning in *The Hindustan Times, The Statesman, The Indian Express, The Times of India* and all kinds of other papers?

Mr. Speaker: I entirely agree with the hon. Members. But if the hon Minister says that that he has no additional information to give, I wonder what the Chair can do . . .

Shri Randhir Singh (Rohtak): Let him make the statement tomorrow.

श्री हुकम चन्द कछवाय (उज्जैन) : प्रधान मंत्री मंत्री से जवाब दिलवाइये ।

Mr. Speaker: No please. After all, both the Foreign Minister and the Prime Minister are here. Whatever information is available, they will give. If they are not able to give more information, the Chair cannot help.

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, इन के दूत थे हांगकांग में, और वहां पर प्रेस सम्मेलन होने वाला था । वह इन के आदेश पर रद्द किया गया है । क्या इस के बारे में मंत्री महोदय जानकारी नहीं देंगे ?

इसी तरह नेपाल में चीनी दूतों के स्वागत के लिये वहां के चीनी दूत आये थे और उन्होंने भारत विरोधी नारे लगाये, क्या इस के बारे में भी जानकारी नहीं देंगे ? जो इस ध्यान आकर्षण का विषय है वह तो कम से कम उत्तर में आना चाहिये । उस के बाद आप का सुझाव हम ने मान लिया है कि हर एक दल में से एक सदस्य सवाल पूछेगा ।

Shri Swaran Singh: I have got this information about the press conference in Hongkong. It was cancelled because Mr. Raghunath was to report to our Government first. The press conference was held on Mr. Raghunath's arrival here yesterday.

Shri M. L. Sondhi: Was it on Chinese advice because it took away all the significance from it?

Shri Swaran Singh: I have said that I have no further information.

श्री कंवर लाल गुप्त : मेन क्वेश्चन का जवाब तो आना चाहिये । वह तो दिलवाइये कि 3 बजे के बाद सरकार क्या करने वाली है । यह नहीं बतलाया जाता तब लाभ ही क्या है ?

Shri S. S. Kothari (Mandsaur): The onl way-out is to sever diplomatic relations and close the chapter.

Shri N. Dandeker (Jamnagar): Mr Speaker, I really wish on a matter like this it was the Prime Minister who had dealt with this and who should have replied because this Minister, who has in fact only just seen this statement which he has read out, has a habit of provoking the House into a situation to which he himself then refers as undignified. I really think this is a very difficult question and it is a matter which we ought to approach quite dispassionately.

To begin with, I think I am right in saying that our Embassy Staff in Peking, both those who have come back as well as those who have remained there, have suffered great humiliation. We have followed these terrible happenings not only with great anxiety and sympathy but also with a great sense of humiliation in this country. It everybody here feels strongly about this, it is because of

the humilia ing and servile position we have been accepting *vis-a-vis* China in the last five years. Everybody without exception was of the opinion that after the Colombo discussins failed, at least then we should have severed diplomatic connections, or we should have done so anyway when in Peking and all over China there began this stupendous, organised mob terrorism, or at least lately when other foreign missions have been so terribly badly treated—even our friends the Russians' and various other missions. But we just seem to go on taking this lying down, even when kicked about, humiliated and so on.

This is really the crux of the whole thing, that the Government do not seem capable of taking any dignified attitude, any dignified action. The minimum action which seems to have been called for at the present juncture should have been the severance of diplomatic relations.

Today, the governments ultimatum, if I might so call it, expired at 3 P.M. They are now going to sit and think of what they are going to do. Good heavens! Sir, I thought even when they issued this ultimatum, their mind would have been clear as to what they were going to do when it expired.

Sir, if I am guilty of taking this to the level of passion, I am sorry; but these things provoke one. And when one adds the pontification by the Minister, it really makes matters worse because, right throughout the country, there is a sense of humiliation and indignation. There has been a sense of humilaition righ since the India-China war; there has been humiliation at the way they have been treating our notes and protests and the massive correspondence that has been going on to no purpose.

The Minister says *other* missions have also been treated badly. So, everybody ought to have known what *we* were in for. Therefore, the first question that really does arise is; is the Government ever going to assume a dignified stance, a posture of dignity in this country and tell the Chinese, "we will not have anything more to do with you"? and will they stop all this business of keeping windows open with China so that they can throw no more dirt at us?

One other question is this. The Minister mentioned that in our plight other missions were helpful, friendly. Is there any reason why he does not mention their names? Could we have the names of such people on the spot who helped us, to whom we should at least acknowledge thanks for the assistance they have given? It seems to be a particular puerile kind of attitude to take, to be kicked around ourselves and not have the decency to mention the names of people who have helped us, as to which, if the Minister will not do it, at least some of us here would like publicly to thank them for the assistance they have rendered.

Mr. Speaker: Shri Madhok.

Shri Nath Pai: This will not do please. I submit if we want to get a worthwhile reply. This blanket reply does not help, we have never benefited. Let every question be separately replied to.

Mr. Speaker: After all, it was only an opinion expressed.

Shri M. Dandekar: There were two questions.

Mr. Speaker: The question is whether we are going to break our relations with them. The same or similar questions may be asked by other members also. It is already five minutes to six. If ten or twelve people are to ask similar questions, I do not mind, let us see if repetition will not be there.

Shri Swaran Singh: I do share the indignation of our people at the attitude and behaviour, uncivilised behaviour, of the Chinese towards the members of our mission, and, as I have already indicated, at 6 p. m., within a few minutes from now, it is

[Shri Swaran Singh]

our intention, taking everything into consideration, to impose restrictions on the members of the Chiese staff in Delhi, and they will be on a reciprocal basis. The type of restrictions that are imposed on the members of our staff there in China, similar restrictions are intended to be imposed on their staff in this country.

The severance of diplomatic relations is a bigger issue, upon which we should take a decision not when we are faced, with this immediate problem. We should try to settle this first, and we should not link the question of severance of diplomatic relations with this. That is a bigger issue, about which the Government position has been clarified before, and there is no alteration in Government's policy in regard to the continuance of diplomatic relations.

Shri N. Dandeker: I wanted the names of the missions. I would like to thank those friendly countries. Which are those countries? Why is he suppressing the information?

Shri Swaran Singh: I am not suppressing anything. At the present moment I have not got the names of those countries. I will communicate them as soon as I get the names.

Shri Dandeker: Do I understand that the Minister does not know who were friendly to us?

Mr. Speaker: All countries are friendly. He should get information.

Shri S. Kandappan: On a point of order. We are discussing such an important issue.

Shri N. Dandeker: It is extraordinary that the Minister should not know the names of the friendly missions who helped us. I would like to say from here, many members would like to express our thanks to these missions.

Mr. Speaker: We have so many friendly nations. It is a question of the friendly nations who helped us there.

18 hrs.

Shri S. Kandappan: On a point of order. We are discussing such a vital issue and the Minister says that he has no information. In an yesterday's English daily from Madras, I have seen the names of those countries' embassies that had helped us. Why could not the Government get that information?

Mr. Speaker: It is a question. What is the point order.

श्री मधु लिमये : यह सब क्या चल रहा है ? पहले से इनफोर्मेशन हासिल करके क्यों नहीं आते हैं ?

श्री कंवर लाल गुप्त : कल अखबारों में पढ़ कर नाम बतायेंगे ?

Shri Swaran Singh: I would appeal to the hon. Members that they should be a little more indulgent to me because I depend upon the information that I received from the E. A. Ministry. After all, it is my intention to give all the information that I have. I have just received information that the embassies of Bri ain, France, Yugoslavia, Socialist countries . . . (*Interruptions*) Indonesia and the Scandinavian countries helped our mission.. (*Interruptions.*) I would like to assure the hon. Members that it is not my intention to suppress anything; after all I do not get anything by suppressing any information. I will pass on all the information that I get from the Ministry. If on any specific issue, they want information, I will try my best to collect it.

Shri Hem Barua (Mangaldai): This morning, you directed the hon. Minister to make a comprehensive statement. The names of these friendly nations are already in the Press; we have read about them. When this question was put specifically so many Ministers run to the official gallery, and the official gallery have given him a list and that list also is not complete. That is the trouble.

Shri Bal Raj Madhok: The hon. Minister has just now said that they

are going to take reciprocal action against the Chinese in the Chinese Embassy here. This has been the practice; we have been behaving as reactionaries. The Chinese take some action and we react to that. What the country needs today is a positive approach....

Shri Hem Barua: Is it not a new meaning, Sir?

Shri Bal Raj Madhok: The hon. Minister says that we should be indulgent to him and that it is a national question. I agree with him that it is so and we should have a national policy towards China. The people of India want a positive policy of which there should be at least four planks: first, break of diplomatic relations with China; second, raise the issue of Tibet and repudiate the treaty of 1954; third; withdraw support to Chinese entry into the UN, and fourth, establish friendly relations with those countries which are interested in containing China and which are threatened by China. These are the four planks of worthwhile, national, positive policy towards China. The Government talked of national danger and I agree with it. Is the Government prepared for sitting down with the other national parties of the country and evolve a national policy on these lines of which the first plank is the immediate break-off of diplomatic relations with China? That is my specific question.

Shri Swaran Singh: The specific reply is that at this stage, this question of severance of diplomatic relations is not being considered.

Shri Seshiyan (Kumbakonam): By all canons of civilised behaviour and international diplomacy, the recent occurrence and the obnoxious behaviour of the Chinese should have made our Government long ago chalk out some plans. Just now the Minister says that some other embassies in Peking have been subjected to the same kind of treatment of demonstration in front, etc. I want to know in such background what did the Government do all along to prepare our own embassy staff and to bring all the families of our embassy together? Why have the Government failed in this primary duty of giving protection to them and maintain the dignity of our embassy in Peking?

Shri Swaran Singh: Sir, let us not forget that the primary duty of affording protection to the members of any foreign mission is that of the host government. It is our responsibility here in Delhi to provide protection to members of the diplomatic corps of other countries. (*Interruptions*).

Mr. Speaker: Please hear him.

Shri M. L. Sondhi: It is an irrelevant reply.

Shri Swaran Singh: I wish relevance were the virtue that should be followed by the other side! It is extremely relevant. This is the responsibility that is accepted in international practice, that the host country is to provide protection to the members of a foreign mission. (*Interruption*). It is true that when a special situation arises or there is a special danger, then we have specifically to take up with the government of the country to which our diplomats are accredited, to take special measures. In this particular case, our members of the mission were staying in different flats, and there was no lack of security as such. When they were living in those various flats, on this occasion, as I have said, the Chinese authorities asked the members to move into the embassy building, and in accordance with that, we moved them quickly into this building, because this was what was required by—*Interruption*)—Now,, this was an unjust and uncalled for requirement by them; they should have afforded protection to our members of the staff even in the flats they were residing. They failed in their duty and they illegally asked our people in an unjustified manner, the members of our staff and others—to move into the embassy building.

Shri S. A. Dange: I am not raising questions of long-term policy just now. what is at stake is the safety of the women and children besieged in the Indian embassy, and the safety of the staff there. The Chinese have asked that they want to send an aeroplane to evacuate their personnel. Is the Government prepared to send an aircraft on our part to evacuate our personnel which is already besieged? The Minister speaks of reciprocal behaviour. The Chinese leaders, whatever their diplomatic notions may be, in the present circumstances they are shown to be highly cultured gangsters and it is such a relationship that is established by those gentlemen with our people in Peking. I hope the Minister is not calling for reciprocal barbarism on our part. Please do not do that. But then I would request that we do send our aircraft and do not go in search of a ship to go to Hong Kong and evacuate them, evacuate our women and children. I want to know whether the Government is prepared to do that.

The Prime Minister and Minister of Atomic Energy (Shrimati Indira Gandhi): We do intend to send a plane, and we do not intend to allow their plane to come till they have given permission for our plane to come and for our people to be brought in safety along with their luggage.

Shri D. C. Sharma: The hon. Minister said very wisely that we should not make it a party issue,—I agree with him,—and that we should discuss it on the international plane. I want to ask him, how are you going to discuss it on the international plane, when China is not a member of the UNO, when China is not friendly to most of the nations of this world, when China is living an isolated, alienated existence, and when China has been known throughout history as a great inventor of torture? I think anybody who has read the history of China will agree with me that China has been known as the great inventor of torture. When China has inflicted upon our diplomatic corps, not only physical torture, not only nervous torture, not only mental torture, but also spiritual and psychological torture, when China has done all that, I want to ask the hon. Minister—

Shri Hem Barua: What is spiritual torture?

Shri D. C. Sharma: You cannot understand it. (*Interruptions*). Sir, may I know in what way he is going to solve this problem of evacuation of those persons from there on an international plane?

Mr. Speaker: The Prime Minister has answered just now that an aeroplane will be sent.

Shri D. C. Sharma: Did he not know that the Chinese diplomats here evacuated their families long ago? Did he not see the writing on the wall, when they had evacuated their families, that something was brewing there and something was going to happen? Why is it that he was in the dark about all these things?

Shri Swaran Singh: I have nothing to add to what the Prime Minis er has said about the evacuation plan.

Shri D. C. Sharma: How is he going to make this issue an international issue?

Mr. Speaker: Dr. Lohia.

डा० राम मनोहर लोहिया (कन्नौज). अध्यक्ष महोदय, आज मैं कुछ चिन्ता से बोल रहा हूं, क्योंकि चीन ने अपना उदजन बम फोड़ लिया है और अगर वह चाहे तो वह एक बम से ही हमारी राजधानी और उस के सभी निवासियों को बिल्कुल अन्त कर सकता है ।

श्री डी० सी० शर्मा : कर दे हम को । इस से अच्छा है ।

डा० राम मनोहर लोहिया : अगर उधर, इधर और अपने देश में इतनी हिम्मत होती, तो किसी भी बात की चिन्ता नहीं होती और कभी का चीन से सम्बन्ध तोड़ना तो दूर रहा, अब तक हम लोग न जाने कितने आगे बढ़ गए होते ।

मुझे हैरत होती है जब मैं अपने देश के किसी मंत्री को यह कहते हुए सुनता हूं कि न सिर्फ हिन्दुस्तान के कूटनीतिज्ञों के साथ बल्कि इंग्लिस्तान और रूस के कूटनीतिज्ञों के साथ भी वही बर्ताव, या उस के जैसा बर्ताव हुआ है । अगर इंग्लिस्तान के डोवर की पहाड़ियों का एक छोटा सा हिस्सा भी चीन ने ले लिया होता तो अब तक क्या हो गया होता ? अगर रूस के साइबेरिया के मैदान का एक छोटा सा भी हिस्सा चीन ने ले लिया होता तो क्या हो गया होता ? लेकिन फिर भी जब इस देश का एक मंत्री चाहे वह विदेश मंत्री हो या प्रधान मंत्री ऐसी बातें बोलता हैं—आप यह न समझें कि मैं बिना सोचे बोल रहा हूं—तो मुझे यह कहना पड़ता है कि इस देश की सरकार को अपनी जमीन के बारे में किसी तरह की लज्जा नहीं रह गई है । न जाने हम किस भविष्य में जा रहे हैं ?

Mr. Speaker: That is not the question. We are not discussing that now.

डा० राम मनोहर लोहिया : आज यह समय आ गया है, जब कि इन सब बातों पर गम्भीरता के साथ विचार किया जाये, वर्ना नतीजा क्या होगा ? अभी इस सदन को यह नहीं बताया गया है कि चीन ने खुद एक नोट सरकार को भेजा है कि चीन के दूतावास के ऊपर जो हमला हुआ था, जल्दी से जल्दी उस का संतोषजनक उत्तर दिया जाये, वर्ना चीन कार्यवाही करेगा । इस संसद को अभी यह खबर नहीं दी गई है । मैं यह खबर दे रहा हूं कि चीन उल्टे सरकार को एक नोट भेज चुका है । इस प्रकार के नोट परस्पर आते जाते रहेंगे । नतीजा यह होगा कि चीन कोई कार्यवाही करेगा, तब यह सरकार उल्टी कार्यवाही करेगी । जब चीन इस देश से अपने राजनयिक सम्बन्ध तोड़ेगा, तभी यह सरकार भी चीन से अपने राजनयिक सम्बन्ध तोड़ेगी । आखिर ये सब बातें एक दूसरे के साथ जुड़ी हुई हैं ।

आप जानते हैं कि जब इस सरकार ने संयुक्त राष्ट्र में चीन के प्रवेश के सम्बन्ध में कार्यवाही की—1962 के बाद कार्यवाही की । अपनी जमीन छिनने के बाद कार्यवाही की ! तब मैंने इसी लोक सभा में इनकी उपमा उस लड़के से दी थी जो अपनी मां की शादी उसके बलात्कारी के साथ करा देना चाहता है । इस तरह की सरकार को लेकर आप कहां तक जा सकेंगे ? अब समय आ गया है जब इन सब बातों पर गम्भीरता के साथ विचार कर के एक लगातार फ़ैसला किया जाये ।

सवाल करना फ़िजूल है लेकिन मेरा पहला सवाल तो यह है कि क्या कहीं इंग्लिस्तान की डोवर की पहाड़ियों को या रूस के साइबेरिया के मैदान को चीन ने हमला कर के अपने कब्जे में लिया है कि जिसके कारण ये मंत्री हमारी अवस्था की उन की अवस्था से तुलना कर दिया करते हैं ।

दूसरा सवाल यह है कि क्या सरकार की कार्यवाहियां हमेशा जवाबी रहेंगी : जब हमारे दूतावास के लोग निकाले जायेंगे, जब चीन राजनयिक सम्बन्ध तोड़ेगा तब यह सरकार तोड़ेगी । जब चीन फिर से इस देश पर हमला कर देगा और एक-तिहाई हिन्दुस्तान खत्म हो जायेगा क्या तब यह सरकार चेतेगी ? अब वह समय आ गया है जब अमरीका या रूस या कोई भी देश हमारी मदद करने के लिए आने वाला नहीं है जब तक कि एक-तिहाई हिन्दुस्तान चीन के कब्जे में नहीं चला जाता है । यह बात अच्छ-

[डा० राम मनोहर लोहिया]

इसराईल युद्ध ने बिल्कुल साबित कर दी है। तो क्या यह सरकार इन छोटी-मोटी बातों के झगड़े में फंसी रहेगी कि जो चीन करेगा, उसी का जवाब दे देंगे, वह थप्पड़ मारेगा, तो ये भी थप्पड़ मार देंगे, वह गाली देगा, तो ये भी गाली देंगे अगर वह किसी तरह से प्रेम करेगा, तो ये भी कर देंगे ? क्या यह सरकार उसके अलावा कभी कुछ करेगी ? अब गम्भीरता के साथ हमें कुछ करना चाहिए। हमें थप्पड़ नहीं मारना है, गाली नहीं देनी है, हमें शान्ति के साथ रहना है। हमने उनके साथ सम्बन्ध तोड़ डालना है, लेकिन अगर युद्ध करना पड़ता है, तो फिर ऐसा संकल्प बना कर युद्ध करना है कि चाहे हम खत्म हो जायें, लेकिन अपनी जमीन के एक एक इंच को बचा कर रखेंगे ।

आज कोई ऐसा-वैसा मौका नहीं है। लेकिन जिस तरह आप इस सवाल को छेड़ रहे हैं और जिस तरह मंत्री महोदय ने जवाब देना शुरू किया है, उस से ऐसा मालूम होता है, जैसे बच्चों की कोई गोली या गुल्ली-डण्डे की लड़ाई हो रही हो। वह यह लड़ाई नहीं है। मैं चाहता हूं कि चीनी राजनयिकों के खिलाफ़ जरा भी कोई कार्यवाही न हो। इस बात की कोई जरूरत नहीं है। हमें शान्ति और गम्भीरता के साथ अपने कदम तय कर लेने चाहिए कि अब चीन से हमारा कोई सम्बन्ध नहीं है। उसके बाद हम शान्ति से रहें। अगर हम आज वाले रिश्ते को ही लगातार और पांच दस बरस चलाते रहें, तो अच्छा है। यदि युद्ध होता है, तो उसका सामना भी संकल्प के साथ करें, चाहे उसमें हमें कितनी भी तकलीफें उठानी पड़ें ।

Mr. Speaker: After all, hon. Members can only ask questions. Dr. Lohia has raised a big policy matter. I do not know if the hon. Minister is prepared to answer it now. If he is prepared to answer it I will be very happy.

डा० राम मनोहर लोहिया : मैंने एक सवाल तो डोवर और साइबेरिया के बारे में किया है।

Mr. Speaker: If he is prepared to answer I have no objection. After all, even while putting a question, as somebody said, there is no use using a language which will be rather wounding the feelings of the other side. If the Minister can answer some of the points raised by the hon. Member, he may do so.

Shri Swaran Singh: Sir, you rightly pointed out that it is a bigger question of policy. According to Dr. Lohia a certain policy should be adopted by the Government. He has given reasons, which according to him are weighty reasons, why that particular policy should be adopted. I think that in a Calling Attention Notice, at this stage, when perhaps we elicit information or give information, these questions as to what should be our policy or whether any alteration in our policy is required, these are bigger considerations which can be discussed in the course of the debate when the Demands for Grants of the Ministry of External Affairs are taken up. Perhaps on a Calling Attention Notice I cannot do justice to the bigger issues really in short replies. No question of fact has been elicited. He has put forward only certain views that should be adopted.

Mr. Speaker: I thought some discussion would have been necessary.

श्री राम सेवक यादव: अध्यक्ष महोदय, व्यवस्था का प्रश्न है। प्रश्न पूछने का अर्थ होता है कि उत्तर मिले और अगर प्रश्न का उत्तर न आये सीधा तो फिर उस समय आपकी सहायता की आवश्यकता मालूम पड़ती है। प्रश्न तो सीधा सा था कि क्या चीन की जब क्रिया होगी तब हमारी कोई उस के ऊपर ..... (व्यवधान) .....

Mr. Speaker: He is repeating the question in the form of a point of order.

श्री राम सेवक यादव (बाराबंकी) : दूसरा प्रश्न था कि क्या ऐसी कोई मिसाल बतायेंगे कि डावर और साइबेरिया का कोई हिस्सा चीनियों के पास गया हो और उसके बाद भी उन्होंने सम्बंध बनाये रखा हो ?

Mr. Speaker: Will you kindly sit down?

श्री मधु लिमये : अध्यक्ष महोदय, एक ही मेरा निवेदन है । पिछले बार मैंने यह सवाल उठाया था । यह बार बार अन्य देशों से तुलना करके इसकी गम्भीरता को कम कर रहे हैं । इसलिए यह मंत्री महोदय इस प्रश्न का उत्तर दें कि कोई भी दूतावास या देश है कि जिसकी जमीन छीन ली गई हो या जिसके ऊपर आक्रमण हुआ हो ? इसका तो जवाब नहीं दे रहे हैं तो फिर ऐसी वाहियात तुलना करने से क्या फायदा है ?

Mr. Speaker: He has said that.

Shri Umanath (Pudukkottai): Sir, I express our grave concern at the siege of our Embassy premises, of our diplomatic personnel, of our women and children in Peking. I submit that this siege is unjustifiable and unwarranted.

Shri Frank Anthony (Nominated Anglo-Indians): Very mild language.

Shri Umanath: If the Chinese Government had thought that there was anything wrong on our part, it was up to the Chinese Government to have taken up the issue at the diplomatic level. Further, what wrong has been committed by our innocent women and children and our diplomatic personnel there? These are all matters to be taken up at the diplomatic level instead of resorting to siege and similar things.

In this connection, I would like to submit that what happened two or three days ago in the Chinese Embassy premises in India, the assault of the Chinese and the pulling down of the Chinese flag in our capital here made our position morally weefl.... (*Interruptions*).

Shri Randhir Singh: They slapped our police and you are justifying it.

Shri Umanath: The other day, when Shri Chagla referred to the question of their entering the premises, he said—these are his words—fortunately they did not enter the premises. This should not be tolerated at all. It is unfortunate that such a thing should have happened here. Anyway, I am glad that the Prime Minister has announced that the Government proposes to send an aeroplane to Peking on a reciprocal basis to evacuate our families Apart from this thing, apart from the measures and countermeasures, in view of the anti-climax, I would like to know from the Government whether any efforts are contemplated through such embassies which are friendly with both countries to bring pressure on the Chinese Government to resolve this particular incident that has just now arisen?

Shri Swaran Singh: It is not necessary to invoke the help of any other Mission for resolving this issue. We are directly talking to the Chinese through their Mission here and through our charge d'affaires in Peking.

Shri R. K. Sinha (Faizabad): The question of China, as it has arisen in view of the provocations, is a political question, and it is time that we assess our position politically because in international politics we should not permit China to be the first to initiate certain measures and we are to reply to it. China is trying to test our policy of non-alignment, our policy of progressive independence, our capacity to decide issues on merits. Sir, I wish to tell Dr. Lohia and some friends on the other side.... (*Interruptions*).

Mr. Speaker: I thought he was asking a question.... (*Interruptions*).

Shri M. L. Sondhi: Do not moralise... (*Interruption*).

Mr. Speaker: Ask the Minister whatever you want.... (*Interruption*).

Shri R. K. Sinha: I wanted to join with Dr. Lohia in saying that every son and daughter of India will defend the sovereignty of the country. People on this side of the House are not in disagreement with the sentiment but before I say something people on the other side start howling. They are not prepared to hear one Member of the Congress Party.... (*Interruption*).

I want to say that the Chinese Government is behaving so dictatorially because it has been provoked by the fact that we successfully defended the Arab cause in West Asia. They need this opportunity because they wanted to prove to the people in Asia and Africa that they can challenge the Government of India any time they choose. That is why I want to point out to the Minister that a policy of national defence, of national sovereignty and of standing up to all the threats of China is the only way to deter the Chinese. I want to ask the Minister whether China today is not isolated from the other socialist countries, whether the Chinese who give serious warnings every time to America and Taiwan are not tin soldiers and whether the Chinese who are not able to defend their allies in North Vietnam—whether these very Chinese can hope to challenge our policy of non-alignment and test it. I want to tell the Minister that if he wants to contain China, with proper pursuit of our policy of non-alignment and peaceful co-existence we should try to show the Chinese that we are prepared to pay tit for tat. We should also tell the Chinese that we shall cut down our staff in Peking and, if necessary, break diplomatic relations.

Shri Swaran Singh: I am in agreement with most of what the hon. Member has said. About the operative part, we are already conscious of the fact that India faces a constant threat from China. It is for this reason that we are always conscious of strengthening our defences to meet any challenge to our sovereignty and our integrity. In that I am glad that there is unanimity amongst our people and determination to defend our country, our honour and our dignity.

डा० राम मनोहर लोहिया : क्या वाहियात बातें करते रहते हो ? इन बातों को सुन कर के तबियत झल्ला उठती है। कहां एका है ? क्या एका है ?

Shri Swaran Singh: I was in fact re-echoing the sentiments some of which were expressed by Dr. Lohia and I do not know why he should feel angry over this. We have got the national policy of defence and we are pursuing that policy.

Shri Nath Pai: Mr. Speaker, I would beg that we keep a sense of proportion. There is a danger that we shall lose a long perspective by allowing ourselves to be swept off our feet by the temporary posture of heroics. What the Government is now trying to do is to try a posture of heroics.

I fully endorse what Shri Dange said and I was glad that even the Swatantra did that. We cannot meet the Chinese challenge by this kind of an improvised, *ad hoc* policy, hand-to-mouth and day-to-day policy. All the difficulties are arising because of the failure of this Government to evolve a long-term strategy and then fitting daily tactics into that. The Chinese have a long-term strategy towards this country. They know that this democratic country constitutes the biggest challenge and danger to China. Therefore they want to go systematically exploiting every opportunity to diminish the influence of India, to make India the laughing stock of Asia, to make India a non-entity and to make India a laughing stock of the world. Systematically they are proceeding towards achieving this objective. But

this Government has no policy towards China. It never had it. It never understood modern China.

I will like to point out to you here what *Izvestia* is talking about China. In the latest article, the *Izvestia*—they are Communist allies and brothers belonging to the same family—reports that the Peking cowards dare not help the people who are trying to raise their banner for freedom in Hong Kong. I would like to ask the Minister why these Chinese who never miss an opportunity to whip an insult, a humiliation, on India, who will talk in the loudest terms so far as India is concerned, will be extremely cautious; whenever it comes to confronting a major power, be it the Soviet Union or be it the U.S.A. Take the question of Qumoy, Matsu or Hong Kong; take the question of Formosa or Taiwan. The Chinese claim it, but they will never dare to raise their little finger to exercise their authority. Then, take the case of supporting the people of Vietnam. They accuse others of betraying but they themselves will never do anything. But why they do it in case of India is because they have found a measure of this weak-kneed leadership.

Today we are going to satisfy ourselves by doing this and that and by giving an ultimatum. I am not going to be satisfied with this. This country is not going to be satisfied with this. We want to know this from Mr. Swaran Singh and, if possible, from the Prime Minister: are we going to go on living with China on a day-to-day basis or are we going to evolve a national policy? He began by asking for the support of the national policy. If the policy is to be what has always been, that is, the total absence of policy, always reacting to the Chinese initiative, if the policy is to be of appeasement and of kotowing the Chinese, we are not going to support him. Do we understand this perverse, sadistic, behaviour of the Chinese in isolation or is it part of a bigger scheme? This is immediately followed by the explosion of a hydrogen bomb. I must say, I would not like that we pay in small matters tit for tat but I would like that on major issues we confront China. It is no use burning Chinese effigies in Connaught Place.

May I ask him: Is he even now prepared to sit down with others and try to evolve a national policy, a policy of firmness, a policy of self-respect, a policy of self-interest, a policy of liberating the territory that the Chinese have occupied? If you have such a policy, the nation is with you. The nation is not with you in the policy of kotowing Chinese. He said that we have only 1½ acres in Peking. Does he know that we have given them 15 acres here? This illustrates how we are surrendering everything even in the matter of establishing an Embassy The Chinese gave us 1½ acres and we are giving them 15 acres in the Diplomatic Enclave. Are we today at least aware of the danger of China, of the possibility that this may be a prelude to something bigger, of exploding the hydrogen bomb, of the mischief of Peking and of the statement from Pindi? Are we aware of all this? Are we trying to meet them in a grand manner as they are trying to evolve it?

Shri Swaran Singh: On this bigger issue, we have been following carefully the postures of China in the international sphere and the way they have functioned in Asia and Africa. I think, it will not be fair on the part of the critics of the Government's policy to say that we have ignored China's postures In fact, there has been confrontation with China on the diplomatic front in Jakarta, in Algiers, in the Afro-Asian world, and we are fully aware of the Chinese designs in the Afro-Asian world and what their postures are.

On this question of Sino-Pakistan collusion also, it will not be fair for the critics to say that we are not conscious of this danger. In fact, both the External Affairs Minister and my-

Mr. Speaker: I thought he was asking a question.... (*Interruptions*).

Shri M. L. Sondhi: Do not moralise... (*Interruption*).

Mr. Speaker: Ask the Minister whatever you want.... (*Interruption*).

Shri R. K. Sinha: I wanted to join with Dr. Lohia in saying that every son and daughter of India will defend the sovereignty of the country. People on this side of the House are not in disagreement with the sentiment but before I say something people on the other side start howling. They are not prepared to hear one Member of the Congress Party.... (*Interruption*).

I want to say that the Chinese Government is behaving so dictatorially because it has been provoked by the fact that we successfully defended the Arab cause in West Asia. They need this opportunity because they wanted to prove to the people in Asia and Africa that they can challenge the Government of India any time they choose. That is why I want to point out to the Minister that a policy of national defence, of national sovereignty and of standing up to all the threats of China is the only way to deter the Chinese. I want to ask the Minister whether China today is not isolated from the other socialist countries, whether the Chinese who give serious warnings every time to America and Taiwan are not tin soldiers and whether the Chinese who are not able to defend their allies in North Vietnam—whether these very Chinese can hope to challenge our policy of non-alignment and test it. I want to tell the Minister that if he wants to contain China, with proper pursuit of our policy of non-alignment and peaceful co-existence we should try to show the Chinese that we are prepared to pay tit for tat. We should also tell the Chinese that we shall cut down our staff in Peking and, if necessary, break diplomatic relations.

Shri Swaran Singh: I am in agreement with most of what the hon. Member has said. About the operative part, we are already conscious of the fact that India faces a constant threat from China. It is for this reason that we are always conscious of strengthening our defences to meet any challenge to our sovereignty and our integrity. In that I am glad that there is unanimity amongst our people and determination to defend our country, our honour and our dignity.

डा० राम मनोहर लोहिया : क्या वाहियात बातें करते रहते हो ? इन बातों को सुन कर के तबियत झल्ला उठती है। कहां एका है ? क्या एका है ?

Shri Swaran Singh: I was in fact re-echoing the sentiments some of which were expressed by Dr. Lohia and I do not know why he should feel angry over this. We have got the national policy of defence and we are pursuing that policy.

Shri Nath Pai: Mr. Speaker, I would beg that we keep a sense of proportion. There is a danger that we shall lose a long perspective by allowing ourselves to be swept off our feet by the temporary posture of heroics. What the Government is now trying to do is to try a posture of heroics.

I fully endorse what Shri Dange said and I was glad that even the Swatantra did that. We cannot meet the Chinese challenge by this kind of an improvised, *ad hoc* policy, hand-to-mouth and day-to-day policy. All the difficulties are arising because of the failure of this Government to evolve a long-term strategy and then fitting daily tactics into that. The Chinese have a long-term strategy towards this country. They know that this democratic country constitutes the biggest challenge and danger to China. Therefore they want to go systematically exploiting every opportunity to diminish the influence of India, to make India the laughing stock of Asia, to make India a non-entity and to make India a laughing stock of the world. Systematically they are proceeding towards achieving this objective. But

this Government has no policy towards China. It never had it. It never understood modern China.

I will like to point out to you here what Izvestia is talking about China. In the latest article, the *Izvestia*—they are Communist allies and brothers belonging to the same family—reports that the Peking cowards dare not help the people who are trying to raise their banner for freedom in Hong Kong. I would like to ask the Minister why these Chinese who never miss an opportunity to whip an insult, a humiliation, on India, who will talk in the loudest terms so far as India is concerned, will be extremely cautious; whenever it comes to confronting a major power, be it the Soviet Union or be it the U.S.A. Take the question of Qumoy, Matsu or Hong Kong; take the question of Formosa or Taiwan. The Chinese claim it, but they will never dare to raise their little finger to exercise their authority. Then, take the case of supporting the people of Vietnam. They accuse others of betraying but they themselves will never do anything. But why they do it in case of India is because they have found a measure of this weak-kneed leadership.

Today we are going to satisfy ourselves by doing this and that and by giving an ultimatum. I am not going to be satisfied with this. This country is not going to be satisfied with this. We want to know this from Mr. Swaran Singh and, if possible, from the Prime Minister: are we going to go on living with China on a day-to-day basis or are we going to evolve a national policy? He began by asking for the support of the national policy. If the policy is to be what has always been, that is, the total absence of policy, always reacting to the Chinese initiative, if the policy is to be of appeasement and of kotowing the Chinese, we are not going to support him. Do we understand this perverse, sadistic, behaviour of the Chinese in isolation or is it part of a bigger scheme? This is immediately followed by the explosion of a hydrogen bomb. I must say, I would not like that we pay in small matters tit for tat but I would like that on major issues we confront China. It is no use burning Chinese effigies in Connaught Place.

May I ask him: Is he even now prepared to sit down with others and try to evolve a national policy, a policy of firmness, a policy of self-respect, a policy of self-interest, a policy of liberating the territory that the Chinese have occupied? If you have such a policy, the nation is with you. The nation is not with you in the policy of kotowing Chinese. He said that we have only 1½ acres in Peking Does he know that we have given them 15 acres here? This illustrates how we are surrendering everything even in the matter of establishing an Embassy. The Chinese gave us 1½ acres and we are giving them 15 acres in the Diplomatic Enclave. Are we to lay at least aware of the danger of China, of the possibility that this may be a prelude to something bigger, of exploding the hydrogen bomb, of the mischief of Peking and of the statement from Pindi? Are we aware of all this? Are we trying to meet them in a grand manner as they are trying to evolve it?

Shri Swaran Singh: On this bigger issue, we have been following carefully the postures of China in the international sphere and the way they have functioned in Asia and Africa. I think, it will not be fair on the part of the critics of the Government's policy to say that we have ignored China's postures In fact, there has been confrontation with China on the diplomatic front in Jakarta, in Algiers, in the Afro-Asian world, and we are fully aware of the Chinese designs in the Afro-Asian world and what their postures are.

On this question of Sino-Pakistan collusion also, it will not be fair for the critics to say that we are not conscious of this danger. In fact, both the External Affairs Minister and my-

[Shri Swaran Singh]

self and my predecessor, Mr. Chavan, have been aware of this danger. We are not unaware of this danger. We have always informed this House and we have been informing the country of this danger and what steps we have been taking to counter that. As to what is the best way of countering the Chinese menace, one view is the pursuit of vigorous, progressive, policies and strengthening of the non-aligned world and always championing the causes which are not liked by the Chinese—that is an important measure and an instrument to counter China. It is a fact that China is in a state of isolation and, therefore, several aggressive postures. . .

Some hon. Members: No, no.

डा० राम मनोहर लोहिया : क्या बात कह रहे हैं अध्यक्ष महोदय आखिर कोई झूठ की भी हद होती है ।

Shri Swaran Singh: . . that they are adopting are not wholly unrelated to that sense of isolation and that sense of failure in the various diplomatic moves in which they indulge.

Shri Bal Raj Madhok: Is he speaking to the House?

Shri Swaran Singh: I know that my hon. friends belonging to Jan Sangh and Swatantra Parties and others are not in agreement with the Government's policy on that issue. Whereas the objective is clear, we feel that the method that they are suggesting is not an effective method. It might be talking tall, but that is not an effective method. I would like to assure this hon. House in all sincerity and humility. . . .

डा० राम मनोहर लोहिया : ये क्या कह रहे हैं अध्यक्ष महोदय । पाकिस्तान उसका दोस्त है, नैपाल उसका दोस्त है, बर्मा उसका दोस्त है, अल्बानिया उसका दोस्त है, अरब [illegible] ।

Shri Swaran Singh: To that we are the last to indulge in heroics. It is not our intention to indulge in heroics. We view this problem with all seriousness; we view it as a grave problem and a serious problem, and the steps that we take are taken after careful calculation and there is no element of either bravado or heroics in our attitude.

डा० राम मनोहर लोहिया : वह कभी नहीं हो सकता । हमेशा नाक रगड़ते रहोगे मिट्टी में, हिरोइक, हिरोइक सुन लिया है अंग्रेजी में ।

Shri J. B. Kripalani (Guna): I would only remind the acting Minister of External Affairs about what our late Prime Minister, Jawaharlal Nehru, said once in this House, that whenever in history China has been united and strong, it has been aggressive; we have to live with this aggressive neighbour. I am sorry, but I agree with Mr. Nath Pai that all these years we have not evolved any China policy; we have never enunciated a China policy. It is no use saying that China is isolated. If China is isolated, it is not on account of ourselves, because we have always advocated its entry into the UNO. There are other territories which are their own and in which the Chinese have been living for centuries. Why do they not go in that direction and why do they come in our direction? Why do they not heap indignities on other nations rather than heaping indignities on this nation, when we have advocated their entry into the UNO? I must say that anybody looking at your policy would think that we are a cowardly nation, we do not stand on our own legs and we yield to bullies. A nation that yields to bullies is bound to come down.

Another thing which I want to say is this. Suppose, a sadistic rascal is pulling out the eyes of my neighbours. When he comes to pull at my eyes, I have nothing to do but say that he [illegible] I have

not to save my eyes because he has pulled out the eyes of my neighbours? This is a very strange attitude that is taken by the Foreign Minister. Because some others are insulted, we have nothing to do; whether they are insulted rightly or wrongly, more than ourselves or less than ourselves, the question is why are we being insulted? We must stand up. What is the good of saying that the other nations are also treated like this. Why don't you take council with those other nations?

Shri Swaran Singh: I have never said in justification of the Chinese behaviour that they have insulted other countries. That was farthest from my mind. In fact, in the statement today, I have said that although the indignities had been heaped on members of other missions, what they have done to us really surpasses all the brutalities and barbarities which are known to have been inflicted on others. That was not in any way a mitigation of what they were doing, but only to highlight their consistent behaviour which has been there throughout. I am sorry, a very senior hon. Member of this House, Mr Kripalani, and also some other hon Members should have interpreted it in this form. It was farthest from my mind to mention those instances to show in any way that they are to be equated with ours. That is not the point. That was only to show that they are consistently adopting these tactics in a consistently barbarous manner. In this particular case, namely the siege of our Embassy in Peking, they have surpassed even their own record. So, that is mentioned as a bad record and not in any way as an extenuating circumstance or even the remotest justification of what is being done.

I agree that we must act in a brave manner. I agree with Shri J. B. Kripalani that there cannot be any respect for a cowardly people, and I hope that our people are brave and that we should face this bravely, calmly and with all the strength that we can bring about and should not be lost in these polemics.

डा० राम मनोहर लोहिया : तुम बल्कुल निकम्मे हो, डरपोक हो।

Mr. Speaker: It is nearing 6.46 p.m. We have spent over an hour on this. A calling-attention notice cannot be a debate. If I want to call all the Members who want to ask questions, then we may probably have to sit for another two hours, and I do not think that is possible. There cannot be a regular debate now on this calling-attention notice.

So, I shall now adjourn the House and it will meet again at 11 a.m. tomorrow.

18.42 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, June 20, 1967/Jyaistha 30, 1889 (Saka).